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MEMOIR

OF

S. S. PRENTISS.

VOL. I.

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MEMOIR

OF

S. S. PRENTISS.

EDITED BY HIS BROTHER.

Prentiss, George

VOL. I.

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W. H. TINSON, STEREOTYPER.

PREFACE.

The first plan of this Memoir contemplated no larger audience than the little circle of Mr. Prentiss' own family and kindred. It was hoped that the sharpness of their grief, caused by his death, might be soothed by a few simple memorials of his life. But the materials were soon found to be ample for a biography; and, encouraged by many friendly voices, I resolved to attempt it. The task has proved far more serious than was anticipated. But it has been a most grateful labor; and were the result quite worthy of the theme, I should be well satisfied. The fact that the work has been written in odd moments, stolen from an exacting profession, may serve to explain, and perhaps to palliate, some of its imperfections.

In arranging the materials, my aim has been, as much as possible, to shape them into an autobiography. This has led to the insertion of the speeches

into the body of the narrative. It has also led to what, I fear, may be regarded as an excessive use of the domestic correspondence. If any one should think that some of the letters, whether on the score of taste or value, might better have been omitted, I beg him to consider this point; and, also, how hard it is in such a choice, not to be biased by mere personal feeling. During the first ten years of Mr. Prentiss' residence in the South West, this correspondence is almost the only record of him that remains. As it is, not a few of his most beautiful and characteristic letters are left out.

It is proper to say, that in describing his electioneering campaigns in 1837–8, as also his speech at Portland in 1840, and that at Natchez in 1844, several distinct accounts—oral, written and printed—have been condensed into one. This seemed better than to publish three or four separate notices of the same address.

My best thanks are due, and are hereby most heartily tendered, to all who, in any way, have aided me in my fraternal task. Nothing could exceed the kindness with which my brother's old friends, in the North and South, have answered my inquiries, and given me the benefit of their reminiscences. To my brother-in-law, the Rev. Jonathan F. Stearns, D.D.,

I am under special obligations. Without his constant encouragement it is doubtful if the work would ever have been completed; that its imperfections are not far more numerous, is chiefly owing to his critical taste.

Should these unpretending volumes render the name of S. S. Prentiss dearer to his old friends, or make it honored amongst those who never knew him, I shall be rewarded a hundredfold for all the pains they have cost me.

New York, Aug. 2, 1855.

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MEMOIR OF S. S. PRENTISS.

CHAPTER I.

His Parentage, Birth and Childhood—Removal of the Family to Gorham—His Grandfather Lewis—Devotion to his Mother, and early Taste for Reading.

ÆT. 1–10. 1808–1818.

THE subject of the following memoir was descended from one of the oldest New England stocks. His paternal ancestor, Henry Prentice, came over from England and settled as a "Planter," in Cambridge, Mass., some time before 1640. He was a member of the first Church in Cambridge, formed in 1636, and of which Rev. Thomas Hooker, who soon removed to Hartford, Conn., was the first pastor. His eldest daughter, Mary, married Deacon Nathaniel Hancock, great grandfather of John Hancock, the illustrious President of the Continental Congress. Not a few of the most respectable families in Massachusetts, New Hampshire, Maine and Vermont, trace back their origin to Henry Prentice, of Cambridge.

Rev. Joshua Prentice, minister of Holliston, Mass., and great-grandson of Henry, altered the spelling of the name to Prentiss, in order, probably, to distinguish it from other

branches of the same family; an alteration, which seems to have been generally adopted by the descendants of Henry, of Cambridge.*

Samuel Prentiss, the grandfather of Seargent, was graduated at Harvard University in 1771, and after the birth of his eldest son William, removed to Gorham, Me., where he resided until his death.

Seargent Smith Prentiss was born at Portland, Maine, September 30, 1808. His father, William Prentiss, a highly respected and prosperous shipmaster, was a man of much energy and decision of character, of quick intelligence, and strong domestic affections. His return from sea was always the signal for great family rejoicing; a season, too, redolent of oranges, pine-apples, and other products of foreign climes, sweet to the taste, or pleasant to the eye.

Few things contribute so much to give variety and animation to the household-life of a New England seaport as the

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* I am indebted for these facts to *The History and Genealogy of the Prentice or Prentiss Family in New England, from* 1631 *to* 1852, published in Boston, 1852, by C. J. F. Binney. The work contains much curious and valuable information about the family, but is not free from inaccuracies; *e. g.* in stating that the Editor of this Memoir was "a Representative to the Massachusetts Legislature, 1848, from New Bedford." Mr. Binney says the name is an old one in England. In Rhymer's Fœdera, vol. iii., page 730, mention is made of Thomas Prentiz, Anno Domini 1318, An. 12, Ed. 2. Also, John Prentys, Rector of Winterborn, Bradston, Aug. 22, 1413, and Prebendary of York, North Newbold. The first of the name in America was, probably, Valentine Prentice, who came over with Elliot, the Apostle to the Indians, in 1631, and settled in Roxbury, Mass. "He lived a godly life, and went through much affliction by bodily infirmity, and died leaving a good savr (savor) of godliness behind him." Deacon Henry Prentice, grandfather of Samuel, "owned the Fresh Pond property in Cambridge. A valuable document, written and signed by him, instituting the first prayer meeting, is in possession of Rev. Mr. Albro, of the Shepherd Congregational Church. He was a tall and very grave-looking man, sat in the Deacons' seat in church, directly in front of the minister, and in cold weather he put on a green woollen cap with a tassel on the top, to keep his head warm, it being bald on top."

constant coming and going of husbands, fathers, sons, and brothers, on their more or less distant voyages. The home of a sea-captain is marked by peculiar excitement and gladness during his visits, followed by unusual fears, anxiety, and loneliness while he is away. How differently affected are *his* wife and children by the wintry blasts, by tidings of shipwrecks and storms at sea, by reports of pirates and naval captures, from those of the landsman. And when, after long and perilous voyages, he comes back in safety, with what eagerness do the children listen to his story. How they talk it over among themselves, and feast their young imaginations upon its wonders.

Capt. Prentiss had not a few hair-breadth escapes to relate. He had encountered storms and hurricanes, had been repeatedly shipwrecked, chased by pirates, and boarded by a British man-of-war. Many of these things happened while Seargent was a boy, and all were among the familiar traditions of the fireside, repeated a hundred times by his mother during the long winter evenings. It was in these early days, no doubt, his memory became stored with those wild, ocean images which, in later years, he wrought into forms of such exceeding beauty and grandeur.

While yet an infant, he was seized with a violent fever, which reduced him to the verge of death, deprived him for several years of the use of his limbs, and was the cause of the defect in one of them, from which he never recovered. For his partial recovery he was indebted to the unwearied care and devotion of his mother. Every day she was accustomed to spend an hour or two in rubbing and bathing his torpid limbs ; this she continued to do, as far as her own infirm health would allow, year after year, until one by one they became strong enough to perform their appropriate functions : the right leg alone refused to be entirely healed, remaining lame and feeble to the last. With this exception,

his physical development was perfect; that of an ancient wrestler could hardly have been more so.

Those who knew him in after years, will, perhaps, recollect his horror of cold water bathing. It had its origin in infancy. After trying in vain all other appliances, his mother was advised to dip him every morning in cold water drawn directly from the well; and this she did, except in winter, for several years. It proved effectual in hastening his restoration; but he could never after hear of a cold bath without shuddering.

He did not forget the patient love that rescued him from the misfortune of growing up a helpless cripple. The filial piety, which will form a chief attraction of these pages, had in it a depth of tenderness and gratitude of which that love is the best and only solution.

Seargent's parents were members of the congregation over which Rev. Edward Payson, then in the first glow and outburst of that apostolic zeal which, at length, consumed him, had been recently ordained minister. They were among the earliest of a great company who were indebted to his pious labors for their Christian hope; he was endeared to them, therefore, not merely as a beloved teacher and friend, but as the father of their religious life. The impression made upon Seargent by this devoted man, was strong and abiding. Aside from the veneration he cherished for him as the one by whom he had been baptized, and who was regarded by his parents with an affection scarcely "this side idolatry," he felt, doubtless the electric touch of that genius for which Dr. Payson was no less eminent than for his seraphic piety. One fond of tracing the subtle influences which shape and give tone to the development of the individual mind, could easily believe that in this close contact of the embryo orator with the ardent and eloquent divine, lay the secret cause of not a little that he afterwards became.

He ever retained an affectionate respect for the memory and virtues of his early pastor, and often spoke of his peculiar talent for original, happy illustration, in terms of congenial admiration and delight.*

He retained, too, through life an almost boyish attachment to his native town. Casco Bay, upon which it lies, he once called, in poetic phrase, "the fairest dimple on ocean's cheek." It is studded with pretty islands, some say one for each day in the year. No stranger who visits Portland in the summer, or early autumn, can fail to admire the charming variety and beauty of its scenery. The sea-views, sweeping down the coast, or opening out upon the broad Atlantic, are singularly fine; while the landscapes, bounded far away in the distance by a magnificent prospect of the White Mountains, are not less attractive.

During the war with Great Britain, Captain Prentiss removed to Gorham, a town distant some eight or nine miles from Portland. Like many others, he was driven into the country by the ruin which had fallen upon commerce. Portland was one of the leading shipping-ports in the Union; the amount of its tonnage being less than that of only three or four others. The prostration of business caused by Mr. Jefferson's embargo policy, and then by actual hostilities with our great transatlantic customer, was complete. It is remembered to this day with terror by old merchants and shipmasters, some of whom, during forty years, have not been able to recover from its blighting reverses. So long as the lessons of the war of 1812 are kept in memory, the commercial temper of the country is not likely to be belligerent.

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* In a letter written in 1843, he alludes to Dr. Payson as "our old family pastor, one of the most, if not *the* most, eloquent of the American divines, whose name is reverenced by all good men."

This removal to Gorham was fraught with the most important results, being one of those domestic changes which, apparently trifling at the time, in the end prove to have been turning-points in the destiny both of parents and children. It gave form and coloring to Seargent's whole subsequent life.

Gorham was a pleasant farming town, especially distinguished for religious and educational advantages. Its original settlers, a hardy, intelligent and pious race, were sprung of the genuine Pilgrim stock. Some of them still survived, full of anecdotes of the Revolutionary times, and of their early conflicts and adventures with the wild beasts and Indians, who, long after their coming, continued to haunt the forests of Gorham.*

In this town lived Seargent's maternal grandfather, Major George Lewis. Like most of the early settlers of Gorham, he was a native of Cape Cod, whence he had emigrated after the close of the Revolutionary War. His farm was situated at a little distance from Clement's Corner, on the old county road to Standish, at the point where it turns off towards Buxton. The house, erected by him in the wilderness, three-quarters of a century ago, is yet standing, but untenanted, and ready to vanish away.

Major Lewis was a man of great weight and force of character, of excellent understanding, and noted for the earnestness of his religious and political convictions. One might have gone far before finding a truer specimen of the Puritan deacon, or of the old-fashioned Washingtonian Federalist. Before emigrating to Maine, he had been out in the Revolutionary war, served as an officer in the battle of Bunker-Hill, and was deeply imbued with the patriotic

* For an interesting account of the settlement and early history of Gorham, with sketches of its leading men, see Judge Pierce's *Centennial Discourse* Portland, 1835.

spirit of the times. An aged aunt, recently deceased, used to depict, with much vivacity, the scene of her father's setting out to join the Provincial army. All hands were busy in preparing for his departure ; but it was a task of mingled fear and hope. The dread shadow of approaching war and revolution was resting upon every household in New England ; and many a wife's, mother's, daughter's or sister's heart already presaged the agony that was to come ! Neither mother nor daughter, on that night, gave slumber to her eyelids ; long before daybreak the retreating footsteps died upon the ear, and the house was left solitary and desolate. How different was the scene, when her father and his fellow-townsmen returned home with the laurels of Bunker Hill still fresh upon their brows.

Among Major Lewis's intimate friends were his cousin, Hon. George Thacher,* of Biddeford ; General Peleg Wadsworth ; Judge Longfellow, of Gorham ; and the late Hon. Prentiss Mellen, Chief-Justice of Maine. When visited by these friends, the state of the country was an invariable subject of discourse ; and they would often sit up till after midnight, absorbed in warm political discussions. Major Lewis, as has been intimated, was a strong Federalist, of the school of Washington ; and, like many others of that school, "*hated*" Mr. Jefferson "*with perfect hatred.*" To his boyish intercourse with his grandfather is to be

* Mr. Thacher died in 1824. He represented the District of Maine in Congress for several years, and was then appointed an Associate Judge of the Supreme Court of Massachusetts. He continued on the Bench almost to the day of his death. He was a man of superior ability, gifted with the keenest wit, and endeared to all who knew him by his fine social qualities. While in Congress, he was challenged to fight a duel. His reply has passed into a proverb. It was to this effect, —that in matters of such gravity he always consulted his wife, then at home in Maine, and he should feel especially bound to do so in the present instance. In the meanwhile, if the other party would chalk out a man of just his size, and shooting at it according to the rules of the duello, should hit it, he (Judge T.) would cheerfully admit that, had he stood in the place of the chalk-man, the ball would have hit *him* too.

attributed much of the political spirit which marked Seargent's mature years. Hardly a pleasant day passed, during the latter part of the venerable man's life, in which he failed to pay his daughter a visit. Seargent was a particular favorite with him, and, unconsciously, perhaps, was thus early imbibing principles and a habit of feeling in reference to public affairs, which underwent no essential change to the day of his death.

In this connection the name of his uncle, Hon. Lothrop Lewis, should not be omitted—a name still cherished by all who knew him with peculiar respect. For many years he was entrusted by his fellow-citizens with numerous important offices, and, but for his untimely decease, bid fair to reach the highest honors in the State. A man of eminent worth, mildness, and dignity of character—a model of public virtue—he was admirably fitted to inspire the young with just and honorable sentiments. Seargent was much in his family, and conceived for him the greatest regard and veneration.

Capt. Prentiss' farm was about half a mile from Major Lewis's, on the road to Standish. The old homestead, built on a gentle elevation, has a very pleasant outlook, while from a neighboring hill the eye rests on a landscape, or rather series of landscapes, of more than ordinary attraction.

Owing to his lameness, which precluded walking for several years after the removal to Gorham, Seargent passed the greater portion of his boyhood in-doors, and under the immediate eye of his mother. He was emphatically *the son of her right hand.* The sufferings of his infancy, long oscillating between life and death,* and his still crippled state,

* While his father was absent at sea, a sweet little sister, whose memory is still cherished in the family, died; but, by some mistake, the report reached his father that it was Seargent. He immediately wrote to the mother, congratulating her that it had pleased Providence to spare Caroline, and to take away the poor cripple, whose prospect for life seemed so hopeless. How little do we know when we are most blessed!

would of themselves have especially endeared him to her—for what touches the maternal heart like a sick, unfortunate child?—but he was endeared to her yet more by his extreme beauty, sprightliness of mind, and affectionate disposition. Everybody was struck with his noble forehead, fine eye, and frank, open countenance; a countenance beaming, even in its dawn, with that intellectual fire which, in later years, was wont to shine with such lightning brightness. Everybody, too, noted his mental forwardness, and predicted that he would one day be heard of in the world. The tradition of him and his witty sayings is still fresh among the old neighbors and his playmates at school. But more than by his beauty, or his wit, was the little cripple endeared to his mother by his sweet disposition. From the first, he was a tender-hearted, generous, loving boy; singularly free from that selfish petulance and ill-nature which too often cast a shadow over the face of childhood; and all these fine qualities crystallized, as it were, into devotion to his mother. Never was he so happy as when sitting by her side or nestling in her bosom. When, according to the good old Christian custom, she on Sabbath evening retired with the younger children to pray with and for them, he always insisted upon kneeling beside the same chair with his mother. What began in weakness and suffering, grew into a habit, a necessity, and

"A joy for ever."

His in-door life afforded excellent opportunity for reading. There were few Puritan families of New England in which one might not meet, in whole or in part, the writings of John Newton, Baxter's *Saint's Rest*, Bunyan's *Holy War* and *Pilgrim's Progress*, Edwards *On the Affections*, Milton's *Paradise Lost*, Young's *Night Thoughts*, and similar works. The list would have now to be greatly enlarged. In many

a plain, rural household, may be found a select library of the best poets, historians, essayists, and divines of England and America. The sons and daughters of the intelligent New England farmers are early initiated into the noblest literature of their mother tongue. Before reaching his tenth year, Seargent was master of every book upon which he could lay his hand. The Bible, in particular, he read and re-read, until his acquaintance with its contents was astonishing. He would repeat large portions from memory. When no one else could "find the text" on Sabbath evening, he was seldom appealed to in vain. Next to the Bible, his greatest favorite was the *Pilgrim's Progress*. Over this matchless allegory he pored with unceasing delight; he knew by heart every step which Christian travelled from the City of Destruction to the Celestial City. The copy used by him was full of pictures, of the Palace Beautiful, Vanity Fair, the Cave of Pope and Pagan, Giant Despair, Doubting Castle, and the Delectable Mountains; and so deeply were the scenes, thus graphically depicted by pen and pencil, engraven upon his fancy, that in after years Pilgrim's Progress, like the Bible, was to him a never-failing treasury of felicitous allusion and illustration.

Thus passed away the first ten years of his life; the season of budding to the intellect and the affections. No feature of his mature character was wanting in that of his boyhood. Those who knew him, from the cradle to the grave, recognized the same high-souled, genial, and affectionate being at ten and at forty.

"The Child was Father of the man."

CHAPTER II.

The District School-house—His fondness for Gunning and Fishing—It is decided that he shall go to College—Preparatory Studies at Gorham Academy—Rev. Reuben Nason—Anecdotes of his boyish Wit and Oratory—Enters Bowdoin College—Reminiscences of him at this period—Graduates, and commences the Study of Law—Judge Pierce's Recollections of him—Letters from his Friend Appleton.

ÆT. 11—18. 1818—1827.

At a little distance from Captain Prentiss's farm stood, and still stands, the district school-house. It was thus described by his son, more than a quarter of a century later :—

Behold yonder simple building near the crossing of the village roads! It is of small and rude construction, but stands in a pleasant and quiet spot. A magnificent old elm spreads its broad arms above, and seems to lean towards it, as a strong man bends to shelter and protect a child. A brook runs through the meadow near, and, hard by, there is an orchard; but the trees have suffered much, and bear no fruit except upon the most remote and inaccessible branches. From within its walls comes a busy hum, such as you may hear in a disturbed bee-hive. Now peep through yonder window, and you will see a hundred children, with rosy cheeks, mischievous eyes, and demure faces, all engaged, or pretending to be engaged, in their little lessons. It is the public school—the free, the common school,—provided by law; open to all; claimed from the community as a right, not accepted as a bounty. Here the children of the rich and poor, high and low, meet upon perfect equality, and commence under the same auspices the race of life. Here the sustenance

of the mind is served up to all alike, as Spartans served their food upon the public table. Here young Ambition climbs its little ladder, and boyish Genius plumes his half-fledged wings. From among these laughing children will go forth the men who are to control their age and country; the statesman, whose wisdom is to guide the senate; the poet, who will take captive the hearts of the people, and bind them together with immortal song; the philosopher, who, boldly seizing upon the elements themselves, will compel them to his wishes, and, through new combinations of their primal laws, by some great discovery, revolutionize both art and science.*

Until his eighth or ninth year Seargent continued so lame that he could only walk by means of crutches; a little carriage was, therefore, provided, and for several winters his elder brother was in the habit of drawing him to and from school. At length, he was able to move freely by the help of a single cane. No sooner was this the case than he conceived the greatest passion for roaming abroad in the fields and woods,—but especially for gunning and fishing. The principal game, which he went in quest of, were partridge, wild duck, grey squirrel, and wild pigeon. In the time of harvest, immense flocks of the latter would fly over the country, and thousands of them alight in the neighboring woods. It was the custom of his brother and himself, as soon as the wheat-fields were reaped, to raise two dead trees, and prepare beneath them a long bed of earth, covered with grain and tinctured with certain fragrant oils, which the pigeons were supposed to scent from afar. Hard by, a booth was built, in which they could conceal themselves and await the coming of their prey. When a goodly number had alighted on the bed, a net was sprung upon them. Seargent's excitement was always irrepressible; the instant

* Address before the New England Society of New Orleans.

the string was pulled, he could be seen,—there are some, who, in the mind's eye, see him even now—leaping from the booth, and hurrying at the top of his speed to survey the haul. Sometimes, instead of a net, the old farm gun was resorted to, and, although it had a habit of "kicking" badly, having dislocated his brother's shoulder, and repeatedly knocked *him* to the ground, he would never be persuaded to give up using it—even his attachment to his mother was here at fault.

But his greatest delight was in angling. Old Izaak Walton could hardly have excelled him in devotion to this "treacherous art," or in the skill with which he pursued it. There were two trout streams in the vicinity, whose names will recall many a happy day to some readers of this memoir, the Branch, and the Great Brook; the latter,—including Jordan's Brook,—was Seargent's favorite resort. He pronounced it "the most classic stream in North America." It took its rise in a forest, called the Haith, and, after winding through fields, woods, and pasture lands, for several miles, emptied itself into a neighbouring river. It was, indeed, a notable stream; abounding in trout of unequalled flavor, and whose quick, dashing bite was the admiration of all true anglers. There were certain holes, often at unsightly points, and quite hidden from the eyes of the uninitiated, which rarely failed to furnish a kingly victim. How well remembered are these favored spots! There was something almost mysterious about them; they were never approached but on tiptoe, stealthily, and with eye half-averted; or, if concealed amid the tangled brushwood, one must creep towards them on all fours; and then with what an anxious glance and careful hand was the fatal lure let down into the water. There was hardly a foot of the Great Brook which Seargent had not traversed again and again; not a nook or bend with which he was

not familiar. When talking of it once, in Mississippi, he maintained that, even in the night, he could find his way direct to the old holes, and, kneeling down, put his hand upon the identical hooks which had been caught and lost in them twenty years before. Many and many a long summer's day did he spend in wandering slowly up and down the Great Brook ; and never, in after life, was the subject mentioned without reviving some of the pleasantest memories of his youth.

Captain Prentiss brought up his sons to working on the farm ; but, in consequence of his infirmity, Seargent was, in great measure, exempt. There were a few things, however, which he was able and accustomed to do ; such as, riding the horse to plough and harrow, dropping seed in planting-time, husking corn, weeding and bunching onions. He loved none of these employments,—but of the last he had a cordial detestation. The only relief he found in it was to get through his stint in season to go a-gunning, or fishing. He was utterly insensible to the dignity of labor.

His parents now cast about to see what should be done with him, his lameness and his character alike warning them that he would never be a farmer. Conscious of his remarkable qualities, they felt a strong wish to give him a liberal education. But the family had become large, its expenses heavy, and the farm swallowed up well-nigh all the profits of the ocean. Capt. Prentiss had undertaken, like many before and since, to combine two things essentially incompatible—to cultivate at the same time the sea and the dry land. He thus gained for his children, health, plain habits, and the many other blessings incident to a country life ; but he lost money. The question, however, after remaining for a year or two in debate, was at length decided in Seargent's favor. But, in any case, he had

resolved upon going to college, often declaring to his mother, that, if there were no other way, he would learn a shoemaker's trade, and work at the last, until the means were acquired of accomplishing his purpose.

His preparatory studies were pursued at Gorham Academy, distant some two and a half miles from the farm. In the winter he boarded at the village, but the rest of the year at-home, one of his brothers usually conveying him on horseback, and going to meet him on his return in the evening. How vividly does the writer recall those summer rides. It seems but yesterday, as it were, that he took them; and he can almost fancy his arms still clinging for support around that form of youthful genius, as they were wont to do thirty years ago. Every step, each turn and aspect of the road, every successive landscape; the pleasant glimpses of Portland, in going; the beautiful mountain-prospect, in returning; all are engraven upon his memory as "*with the point of a diamond!*"

Gorham Academy was one of the foremost institutions of the kind in Maine. It was, at this time, under the charge of the Rev. Reuben Nason—a ripe scholar, an excellent preceptor, and a truly good man. Hundreds of his pupils, scattered all over the Republic, still live to cherish and revere his memory. There was much about him to remind one of the old English head-master, of whom we read in books. He had a similar predilection for classical learning, the same pride and delight in a promising boy, a like intolerance of blockheads, and, occasionally, the same impatience and sharpness of temper. He has been known (*haud ignota loquor*) to flog a delinquent with the Bible, when no profaner weapon was at hand. He usually prayed with one eye, at least, wide open, on the look-out for transgressors; and often was "Amen" followed *instanter*

by the imperative "Come up, sir!" and the quick report of birch, or ferule. But, for all that, he was a man of genuine kindness, and always had an encouraging, friendly word for those who were worthy of it. No one enjoyed more, or had a keener appreciation, of a good joke, or a well-told story. Many are the traditions of the readiness and dry humor with which he would meet the pranks, sometimes played off upon him. On entering the Academy, one summer morning, he found the school all assembled, and his desk pre-occupied by a notorious donkey. Naught disturbed, he at once exclaimed, with a sarcastic laugh,—"Well, young gentlemen, I compliment you upon your taste. You have made an admirable selection. Set a donkey to teach donkeys!" The animal was never caught there again.

While pursuing his academic studies, young Prentiss greatly enlarged his acquaintance with books. There was a respectable collection attached to the Institution, and several private libraries in the village, to which he had access. It was, probably, during this period that he became acquainted with the *Arabian Nights Entertainments*, *Don Quixote*, and other works of a similar description, for which he had a passionate fondness. He read with extraordinary rapidity, and whatever he read—whether history, biography, poetry, or romance—was ineffaceably impressed upon his memory. Among other works which fell in his way at this time was Lempriere's *Classical Dictionary*. Many years afterwards, he spoke of the perfect delight with which, in the leisure school-hours, he read and re-read this book. He almost knew the whole of it by heart. Lempriere, he used to say, was an invincible weapon for giving interest and effect to a stump speech; when all other illustrations were powerless, he never knew the shirt of Nessus, the Labors of Hercules, or the forge of Vulcan, to fail.

He was noted at the academy for the same personal and intellectual qualities which distinguished him in after life. Anecdotes, illustrative of his wit and biting sarcasm, as also of his physical daring, are still rife among his old scool-fellows.

On one occasion some dozen boys were called up and punished by the assistant, for a certain trick, whose author could not be detected. The next morning a sharp reproof in doggerel rhyme was posted about the village, of which a friend recalls the following :—

"Mr. Blank, I must confess
You have well proved your foolishness
By whipping us poor fellows so,
To find out what we didn't know.
No doubt you very oft have read
What God to Abraham once said,
That for the righteousness of ten
He'd save two cities, full of men.
But you the contrawise have done
And flogged a dozen to punish one!"

A lady, now resident in one of the Middle States, writes :—

It was a rule at the Academy that each student should once a week declaim a piece selected for the occasion. Seargent, then but twelve or thirteen years old, had been for some time behindhand. Mr. Nason at length told him that he would take no excuse ; the declamation must be made on the spot. Whereupon the little fellow started out upon the rostrum, and delivered a most ludicrous original poem, full of wit and humor, apologizing for his previous remissness. Mr. Nason who, as you know, was a very nervous man, was so convulsed with laughter that he was obliged to hide his face in his handkerchief, until the fun was over. But he first looked round the school-room to see that everybody else was participating in his delight. How well I recall the whole scene.

I recollect an incident which occurred about this time, illus-

trative of his bold, impulsive nature. He was at our house during one of those terrible northeast snow-storms, which none but a New-Englander can appreciate. Towards its close he remarked to my mother, that upon a certain condition he would jump from the top of the house (it was a pretty high one), into a snow-bank towering in front of the window near which she sat sewing. "Do so by all means!" she replied jestingly, at the same time promising to partially comply with the condition; but she did not for an instant suppose him in earnest, and continued her sewing. Presently, however, he disappeared from the room; in a few minutes the window was suddenly darkened, and there lay Seargent buried in the huge snow-bank! My mother rushed out almost beside herself with fright, but he was uninjured.

On another occasion there was an immense spring freshet, which swept away most of the bridges in the town. A large crowd had collected near one of them to witness the catastrophe, Seargent among the rest. Already the body of the bridge was gone, leaving, however, a fragment, which projected far over the raging flood. Lost in the excitement of the scene, he crawled out and perched himself upon this extreme verge. There he sat for some time, perfectly heedless of his peril and of the remonstrances of the crowd. He had scarcely abandoned the spot, when the whole fell in with a crash, and in a moment was seen dashing furiously down the current.

For the following reminiscences of him during this period, the reader is indebted to his fellow townsman and classmate in college, Wm. T. Hilliard, Esq., of Bangor, Me.

The perusal of your letter tore asunder the veil that years had woven, and my childhood and youth, with all their varied associations, and the dear and cherished companions of the way, were once more spread out before me. In that young and joyous company I still see my early, and always, friend,

S. S. Prentiss. Our intercourse commenced at Gorham Academy, under the tuition of the venerable Mr. Nason. At this period, no one could be with your brother, for any length of time, without remarking a peculiar maturity of intellect. Once interest him, and, boy as he was, easy and indifferent too, as he frequently seemed, he would surprise you with his promptness and brilliancy, and perhaps make you angry by his sallies of caustic wit. He loved sport, and engaged with zest in all our amusements; but, even when at play, his mind seemed at work, so to express it, on its own account. I do not mean to say that he was absent-minded; but his mind was thinking, active, philosophical. He had, at this early period, an inexhaustible fund of anecdote, and a most happy mode of telling a story, being peculiarly effective in his embellishments. He was, at times, terribly sarcastic; but he would cut and heal at one and the same moment. A better, more feeling, and generous heart never beat. Miscellaneous reading was his delight: he devoured history, fiction, biography, &c., with perfect avidity. I never knew one so young, who would read so rapidly, retain so thoroughly, or so readily reproduce, when occasion called. The *language* he never reproduced,—it was the pith and sentiment which he had made his own property. A boy in his feelings and habits, and a modest boy too, he could, in the company of men, as if by magic, become a man in all save stature and years. When no one was present but myself, or perhaps one or two other intimate friends, he would often suddenly start up, and with some flourish, and as if addressing a jury, or an audience, repeat passages from speeches and poems, not infrequently extemporizing withal.* He had a wonderful command of his mother-tongue, and always used the most apt and appropriate words to express the ideas he intended to convey. In reading

* On visiting, not long since, an old Gorham neighbor, he remarked, "I'll wage that I heard the first stump speech Seargent ever made. It was over yonder, in your grandfather Lewis's old orchard. It was at an apple-gathering; there was quite a company of us, men and boys, your father among the rest. Of a sudden, Seargent mounted a stump, previous to the shaking of a tree, and said he would address us. We were all attention, of course, to hear what the little fellow had to offer. He began thus,—'My friends, you must, in the

the dead languages, which he did with much fluency, he never troubled himself about a literal translation, but would read off a sentence in the original, and then clothe it in an ample, graceful, yet correct English drapery, seeming all the while, as if by intuition, to seize the intent and meaning of his author. There was about him, withal, an atmosphere of easy and brilliant joyousness—I speak now generally, because I never knew, and probably there never was, a mind moulded like his but had its dark and bitter hours, full of gloom and despondency. This was sometimes the case with him; but his strong common sense, and indomitable will, soon dispersed the clouds. There was another trait of his character, as a boy, which I may have hinted at before—I mean his coolness and self-possession. One could scarcely find him unprepared for a reply, prompt and to the purpose.

In the autumn of 1824, at the age of fifteen, he entered Bowdoin College, then under the presidency of the Rev. Wm. Allen, D.D. From motives of economy, he joined the junior class, having gone through the studies of the first and second years at the Academy; a wretched practice, which nothing but stern necessity can ever justify. He always regretted it, as also that he went to College so young.

Professor Packard has kindly furnished the following interesting reminiscence :—

I remember, with perfect distinctness, the examination of your brother for the junior standing. He was very youthful in his appearance, and feeling much sympathy with him on account

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first place, set your faces like a flint towards the *butt* of the tree.' He then went on, as fast as his tongue could move, for half an hour, or more, in a speech which astonished us; I never heard a boy talk as he did that afternoon, before or since. Your father was perfectly delighted." His son, who was one of the boys at the apple-gathering, gave the same account of the speech.

of his physical infirmity, as also on account of his youth and the severe examination required for one to enter two years in advance, I was disposed to be very gentle with him in my opening, lest he might become embarrassed. But I found, at the outset, that he did not need any forbearance at the hands of his examiners. With entire composure, and almost as if in a playful mood, with remarkable readiness, clearness, precision, and fullness, he passed the trial in languages, and in mathematics; for in the condition of the College, at that time, it fell to my lot to have a hand in both branches. The testimony of all the examiners to the high promise shown by that examination, was full, and I cannot recall an instance of an examination, which, considering the extent of it—embracing a dozen separate authors and subjects—has, during the many years of my concern in such scenes, been so successful and triumphant. That scene is so indelibly fixed on my memory, that, were I a painter, I could give a drawing of the fixtures, and the persons, at the time in the apparatus-room of the Medical College. Your brother's collegiate course was a brilliant one, and I often said, that it was one of the few instances, in College life, of decided indications of future success and eminence. He exhibited talents, which we used to think would ensure him all he might aspire after, in a Western or Southern career. His remarkable facility in debate, and his wit and humor, were manifested in College scenes.

His letters home, written while in College, give few details respecting his studies; but they are replete with expressions of filial love, and also of the eager restlessness with which he was already looking forward to the battle of life. In the winter of 1825–6 both these feelings were greatly increased by the death of his father; an event which made an indelible impression upon the whole household, and excited in Seargent a sentiment of filial and fraternal responsibility, which waxed in strength and tenderness to the day of his own death.

In reference to his college course, Mr. Hilliard remarks, in the communication already cited :—

Although the College Government had a high estimate of his abilities, his classmates,—who knew him intimately, and who generally are the most competent judges,—assigned him a much higher place than his tutors. He felt no anxiety about his standing in his class, and made no extraordinary exertion in any particular branch of study. He excelled in metaphysical investigations. I well remember when we were reading *Butler's Analogy*, which to most students is no play, *he* seemed to give it about as much time as an ordinary mind would spend on a book of travels or a novel; but he made both the matter and the mode of reasoning completely his own. The fact is, everything he did was, or at least appeared to be, free from unnatural or violent effort. He never thrust himself forward, but when summoned, and the necessity was upon him, like a young Samson, he felt his strength, and failed not to make others feel it. As to his oratorical powers, which the event showed he possessed in such perfection, college is a poor place for their development. I can now remember two or three instances, perhaps more, in the presence of some six or eight of his classmates, when he gave indications of a fine embryo debater.

Another classmate* writes :—

My recollections of your brother, while at college, are still very distinct, and of the most agreeable kind. His youthful face, with its bright, sparkling expression; his irresistible humor; the manly spirit which he ever exhibited; and his physical energy, even with the lameness under which he labored; are, at this distant day, vividly before me.

I believe I can truly say, that nearly all the shining qualities, both of mind and heart, which distinguished his brilliant career, were exhibited at this early period of life.

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* John T. Gilman, M.D., Portland.

Still another writes :—

The presence of your beloved brother is still vivid: the characteristic energy of his mien, his familiar manners, conversational enthusiasm, uniform flow of spirits, wonderful fluency of speech, exuberant fancy of diction, sparkling wit, sarcastic retort, as well as humorous repartee, are stereotyped in the memory; but the wear and tear of life has obliterated nearly all particular incidents and details. The only little spot yet green in our classic Olympiad is your brother's connection with a small club of kindred spirits. It was formed in our junior year, and consisted of six classmates, never more, never less: we were brother Peucinians, and that was an additional bond of union. Our first object was, improvement in extemporaneous speaking; we wanted something more frequent, and more familiar, too, than the opportunities presented by the college societies. We had no constitution, no officers, no by-laws! We met regularly in each other's rooms; the occupant was the presiding officer of the evening: he assigned a subject for present discussion, and literary exercises for the subsequent meeting.

The only law that we had was, that every member, *nolens volens*, should take part in the debate. As the topic was not made known till the moment for discussion, there was, of course, no opportunity for preparation. In this respect our forensic exercise was strictly *ex tempore*, and not like many, now so called, conned by midnight lamp and delivered *memoriter*. The stimulus, in the absence of fines and penalties, was a cigar, which the officer, *ex loco*, was expected to provide.

The names of those who composed our little coterie, were as follows: William Appleton, the brother of Mrs. President Pierce, early cut off by death from a life of promise,*—Leonard

* William Appleton was my brother's "chum" during his last year in college, and one of his most intimate and beloved friends. He accompanied him home to spend the vacation preceding Commencement, and charmed the whole household as well as neighboring families, by his gentlemanly bearing and quiet, scholar-like tastes. His name, for many years, was closely associated with that of my brother,

Apthorp, of Boston, one of the best scholars and writers of the class of 1826; his contributions to the Boston *Galaxy* (now *Courier*) were well known; especially his *Miseries of a Country Schoolmaster*,—Isaac McLellan, of Boston, the poet,—William Paine, Esq., present Marshal of Maine,—and your brother, who with the writer, made the complement. For want of a name sufficiently significant of the forensic and social character of this little band, we had to manufacture. None but a classic one would do, therefore, a Greek termination was added to a Saxon root, and Σπουτεροι (Spouteroi) was adopted.

We had other exercises in our weekly meetings; I well recollect a burlesque composition your brother introduced on one occasion, descriptive of the explosion of a torpedo. The usual monotony of college life had been disturbed by an incident of this kind, to the great excitement of the Faculty, and the personal danger of some officers and students. The circumstances of time and place were detailed with much minuteness,—the state of the college halls,—the hour, that noon of night when thought mounts her zenith with the stars!—the relative position of the heavenly luminaries,—the ominous forebodings of the celestial signs were portrayed in a grandiloquent style,—the very elements were described as hushed in consternation; the heavens were hung in black in anticipation of the *dénoûment* of the tragedy; the stars, as if conscious of the plot, watched the progress of the fearful catastrophe, and ever and anon were

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with whom he kept up an affectionate correspondence until his lamented death, which occurred, I think, at Cincinnati in 1830, at the age of twenty-two.

His father, the Rev. Jesse Appleton, D.D., second President of Bowdoin College, was one of the most profound religious thinkers of his day. His ethical and theological writings exhibit more of the peculiar spirit and method of Bishop Butler than, perhaps, those of any other American divine.

The lady, whose letter has already been quoted, writes:—

"I never knew a face, at the age of seventeen, that expressed such intellectual power and beauty as Seargent's. It was the perfect mirror of a bright, glowing and versatile mind. No one could see it without reading in every feature the signs of genius. I recollect his being at our village church with his friend, young Appleton, when a lady, sitting beside me, called my attention to them, and observed that, she had never seen two such remarkably intellectual-looking young men; 'Surely,' said she, 'they are destined to play some striking part on the stage of life.'"

seen, here and there, peeping out from behind the clouds to witness the consummation and be 'in at the death!'

In his connection with this Club, your brother's fine intellectual and social qualities appeared in all their force and beauty.*

Immediately upon leaving college, he commenced the study of Law, in the office of Hon. Josiah Pierce, of Gorham, now Judge of Probate; a gentleman, whose many noble qualities of head and heart won from him a strong and lasting regard.

Judge Pierce has furnished the following reminiscences:

When I first knew your gifted brother, he was a young boy, attending the Academy in Gorham. I had no particular acquaintance with him at that time; I used occasionally to visit the school, and was struck with his appearance, and manner of reciting his lessons; he was sprightly, and evinced that his perceptive faculties were unusually quick and discriminating. I had known and highly esteemed his parents; and, therefore, felt an interest in their son. For a short period, previous to his entering college, Seargent and myself boarded in the same family. I then found him sportive, mirthful, ready and sharp at retorts, full of good humor and kind feelings, possessing an exuberant imagination, and vivid perception of the ludicrous. His irony was polished and keen, but never malevolent.

While an undergraduate of Bowdoin College, I had few opportunities of seeing him, or of knowing much about his acquirements. He graduated on the first Wednesday of September, 1826, at the age of seventeen, and on the 20th of the same month, entered my office as a student of Law. He also boarded in my family. Mrs. P. and myself soon became much attached to him, and that attachment never, afterwards, suffered any diminution. Though several years my junior, we lived as equals, and felt as brothers. He speedily proved himself a delightful companion, possessed of warmth and purity of feelings, and deeply sympathizing in the weal and woes of others. As an

* Charles Lord, Esq., of Portland.

instance of the latter, I would state, that soon after Seargent became a member of our family, Mrs. Pierce had a sister die in our village. I was absent from town during her sickness. Your brother then showed himself to be a friend to the afflicted. He did all that the nearest relative could have done on the sad occasion; he participated in our sorrows, and his attention and services to Mrs. P. and the mourning family of her sister, were unremitting, and were performed in the most kind and delicate manner. Those services and that sympathy we ever held, and still hold, in grateful remembrance.

While he resided with me, his habits were unexceptionable. He usually passed his evenings at the house, and mingled with zest in all our little family parties and social gatherings; he would read aloud, and was fond of playing chess, also draughts, or checkers.

While living with us, he occasionally went a gunning—but more frequently a fishing to our rivers and small streams. He was a frequent and successful trout-catcher, and sometimes boasted of being a true disciple of old Izaak Walton. There was one brook, that contained many trouts; it had been one of the favorite haunts of his boyhood. To that stream he often resorted.

Your brother had quite a taste for natural beauties, and delighted on fine afternoons in autumn to ramble in the woodlands, or climb high hills, and in vivid language express the pleasure he derived from viewing the beautiful rolling country, and the rich and highly colored foliage of our October forests. He interested himself in plants and flowers, and we have yet, flourishing in our garden in Gorham, a wild rose bush that bears deep green, polished leaves, which he took from the forest, and planted near our windows with his own hand. It is a beautiful memorial, with which we should be very unwilling to part.

He was fond of poetry, and while with us, wrote several stories in rhyme; he made, too, quite a collection of old ballads and uncouth verses, written by unlearned men on occasions of fires, shipwrecks and other accidents. In my office, he read law studiously in the former part of the day, but in the afternoon perused other works. The writings of Walter Scott, Wash-

ington Irving, Cooper, and Byron, afforded him much amusement and pleasant instruction. His favorite author was Shakspere, and I think a week never passed without his perusing more or less of the productions of the great dramatist. He read with wonderful rapidity, and seemed to gather, by intuition, the prominent facts and incidents of every book he looked through. He passed over a book so quickly, and at the same time so understandingly, that a fellow pupil once observed: "*Prentiss reads two pages at the same time, one with his right eye, and the other with his left.*"

He quickly made himself master of the common office business; and I soon perceived that he possessed the qualifications required for eminence as an advocate. His memory was astonishingly tenacious, his imagination warm and prolific; he reasoned with great accuracy and logical force, while his power of illustration seemed exhaustless. He was generous and high-minded, despising all meanness, and loved to satirize folly, and ridicule affectation.

When he left Maine for the West, he hoped to better his fortunes, and acquire fame in his profession; at that time, I think, he had little ambition for political life. To him it was painful to leave his home for a distant land, and yet there was in it something romantic, which suited his disposition. He had confidence in his own success, and thought, that in a few years, he should return to New England with a competency of property, and a well-established reputation as a lawyer.

His part of the correspondence with his classmate Appleton, is missing. But the following extracts from his friend's letters to him, while he was in the office of Judge Pierce, will, in some degree, supply its place.

WILLIAM APPLETON TO S. S. PRENTISS.

AMHERST, N. H., *February* 23, 1827.

MY DEAR CHUM:

I am very much obliged to you for your last letter, but was a good deal amused at the moralizing tone which was preserved through the whole of it, as I had always con-

sidered you, of all my acquaintance, the one most calculated to enjoy life. Pardon me for saying that I think it rather foolish for a person whose prospects for the future are as bright as yours (and I really think that you have a better right to entertain high expectations than almost any of your classmates), to rail at the world and permit a few scurvy blue-devils to take away the comfort of your existence. The world is good enough for any of its inhabitants; at any rate we have no reason to expect an *Expurgata* edition of it, compared and revised, and as we cannot hope that it will change its organization to adapt itself to our wishes, we had better try to make the necessary change in ourselves, that we may fall in with it. You talk a good deal about the complying easiness of my disposition. I consider it as one of the greatest misfortunes of my life, that I have gone to extremes in that respect. I have never scolded about the world much, because I unfortunately have always found, on the slightest examination, that much the greatest number of my troubles I am to thank myself for, and I have not possessed energy and perseverance enough to remove the causes. But our cases are materially different. I have a right to be low-spirited if I will. But you have no possible reason for being so; leaving college and entering on the study of a profession, as you did, with a high reputation both for talents and scholarship, and with a fluency of speech which is almost enough in itself to ensure one success at the bar.

The Court of Common Pleas has been sitting in this town for the last week, but has been enlivened by no interesting trial. The bar of this county contains no very brilliant orators, and there is scarcely ever a plea worth hearing even in the Superior Court, except those of the Attorney-General (Mr. Sullivan). I am still engaged in wallowing in the deep mire of old Coke's Commentary, and shall, I assure you, be really rejoiced when I finish it. There is unquestionably a good deal of valuable law knowledge contained in it, but it requires the patience of Job to extricate it from the quaint garb in which it is arrayed. You have before this, I suppose, read through half the elementary works; but I find that I am obliged to read very slowly to effect

anything, and after all find myself most lamentably ignorant of what I have been reading.

I have some expectation of a visit from T—— next week. I had a letter from him a short time since, and was surprised at the common-sense manner in which it was written. He says that he has discarded Lord Byron and phrenology "in toto," and gives Tom Paine to the devil, who, he doubts not, has long ere this boiled him down to the consistency of calves'-foot jelly. He says that he "has determined to be a minister, and shall begin the study on leaving college." He mentions hearing from you not long before he wrote. He has been teaching school. I am in daily expectation of a letter from McLellan, although he is very little to be calculated upon, from his carelessness about writing. He still unites the professions of law and poetry. As the stage has just arrived, I beg you will excuse me one moment while I run to the post office to see if any letters have arrived. [*Five minutes after.*]—Not a line nor a syllable from any of my friends, not even a newspaper to console me in some measure for the disappointment; so I will proceed with my letter.

I had a letter from Hilliard the next day after I received yours, although the dates of the letters differed more than a week. The delay of yours was owing to your not directing it "via Boston," as did Hilliard. I wish that you would do so in future, as I want to get your letters as soon as possible. Hilliard mentioned that he expected a visit from Farrar. Remember me very particularly to him if you see him. Your description of our jovial times while in college, thrilled through my very heart-strings. As our friend Ossian very well observes, "the memory of joys that are past are pleasant and mournful to the soul."

I wish I knew the line which rhymes to

"Yes, they were happy days but they are fled,"

and I would give you as pretty a little quotation off-hand as you have seen for some time. I have grown most extravagantly sentimental lately, to qualify myself to talk to our girls, whose conversation is divided between sentiment and scandal; so you must not laugh if I do sometimes quote poetry just by way of

keeping my hand in. The topics of conversation among the Gorham belles are not, I hope, so limited. Tell Hilliard that I shall answer his letter very soon. My respects to your family and all my other friends.

Ever yours affectionately,

WM. APPLETON.

Write as soon as you can possibly with convenience. Remember me to Capt. R.'s cigar-box.

FROM THE SAME TO THE SAME.

LONDONDERRY, N. H., *May* 6, 1827.

WELL, CHUM,

I will again endeavor to hammer out my small ideas to cover three pages of letter paper. I received your epistle, by due course of mail, with the pleasure that I always feel in hearing from you. Since writing to you I have *cut* Blackstone and the law, and am now a sober, plodding pedagogue. My stipend is, of course, increased with the time that I spend in instruction. Thirty dollars per month for teaching scholars what I never knew myself; next term I shall have thirty-five dollars. I had some thoughts of accepting an offer of a school in Baltimore, which would bring me in something like six or seven hundred dollars a-year, but concluded that my age, and other reasons, would make my present situation preferable. In case I had accepted, I should have been obliged to take the superintendence of a large and, for aught I know, a turbulent school.

"I am very sorry that you are so much disposed to submit to the dominion of the blue-devils, and I know of no reason for your giving up yourself to their tyranny. With regard to your scheme of a Western expedition, I know of no reason why it should not succeed, if you feel disposed to settle so far from your friends. That consideration would, I should think, have considerable weight with you—it certainly would with me. I hope you have given up all idea of going off, however. Talents and perseverance will succeed anywhere; and Maine, if we may

judge by the numbers of professional men that emigrate there, presents a fair field for exertion. If I should ever be admitted to the bar, I think I shall nail up my shingle in some back town, where there are good mill privileges, and trust to Providence for an influx of clients and business. I shall pursue my present occupation at least two years, I think, as I have no desire to become a lawyer until I have arrived at the *legal* age of discretion.

"I suppose Hilliard is still at Warren; I am expecting a letter from him every day. Do you know whether Lord has returned home? I directed a letter for him to New York some time since, which was, however, I fear, too late. I had a letter from T—— a short time since, in which he inquires after you. He will return to Brunswick next term, to take his degree. He tells me very soberly that he is engaged to "an excellent girl in N——." I shall write him a letter of congratulation on the event and, also, on the common-sense style that characterizes his letter. This excellent girl, whose name I don't know, will, I hope, sober him down into an every-day sort of man. If some strange and foolish traits in his character were smoothed down a little, he has talents enough to enable him to make quite a figure in the world.

John Cleveland is keeping school within twenty miles of me, at Andover.

Time creeps with me very much, about these days. I have no acquaintances to visit, and no books to read out of school hours. If it were not for Sir Walter Raleigh's discovery, I should have a most miserable time; but I find tobacco-smoke an infallible specific against blue-devils, as well as the mosquitoes. I wish, chum, you could contrive some means of visiting here.

The preceptor whom I assist, is a very pleasant and sociable man. His family is about the only one that I visit. This is very dull for me—to whom existence, without intercourse of friends to enliven it, was always a burden. Study occupies some of my leisure time; but you know, by experience, how hard it is to bend one's mind down to study after spending six hours in that confuser of ideas, a public school. I am obliged to study

some, however, as there are several scholars in Greek, and I never possessed a tolerable knowledge of the language, and long ago forgot what little I ever knew. My Latin, I find, holds by me better; so that I can about always explain a hard sentence to an inquiring scholar. There are two or three scholars in Geometry and Nat. Phil.; and, that I might not show my ignorance, I rattled off so about angles, and sides, and the attraction of gravitation, and Sir Isaac Newton and the apple, and solids, and fluids, and convergent and divergent rays, that, I verily believe, the fellows thought me a sort of prodigy; when, in truth, if a person who knew anything about the matter, had been present, he would have laughed in my face. I, as well as the scholars, am impatiently expecting the vacation, which commences in a day or two, and lasts three weeks. So your next letter, if written within two or three weeks, must be directed to Amherst.

I shall send you a catalogue of this academy—not that I have the slightest idea that you care anything about it, but in order to dispose of one, out of twenty which the boys have handed to me. You will light some cigars with it, and when you use the third page for that purpose, let tender recollections come athwart your mind of your absent friend.

I will however, bore you no longer. Remember me to all my friends in your quarter. My respects to your mother and family.

Your affectionate Quondam,

APPLETON.

FROM THE SAME TO THE SAME.

LONDONDERRY, *June* 26, 1827.

DEAR CHUM:—

While I was writing those two words the confounded bell of the academy tolled a death-note to the hopes I had of writing to you by this morning's mail; but I will try if I can prepare a letter in readiness for the next. I continue to

doze on in my usual torpid state—a state which a campaign in school-keeping will produce in any one; I am now so accustomed to it that it does not make me, as at first, positively miserable, and, I am sure, it can never make me more than negatively happy.

I doubt not that you will succeed well in the Western States; indeed, I think the chance of success so much greater there than in New England, that, if it were not for one or two reasons, I should almost be tempted to accompany you.

I heard from our friend T—— yesterday. He has entered college again, and appears to be as much as ever dissatisfied with things about him. He said he should write you soon; confirms what he formerly wrote me about his engagement: and says he shall commence the study of divinity immediately upon leaving college, with one of the Episcopalian bishops! I am sorry to hear, by a letter from Lord, that his former complaints have, of late, somewhat disturbed him; he says, if they increase, he shall, probably, cross the Atlantic. What a grand thing this money is, chum! as you will experience when you gain your hundred-thousand-dollar case, purely by the force of your eloquence, with neither law nor reason on your side. You still, I suppose, find your cigar a never-failing refuge in your troubles. I don't know how I should be able to support existence without some such comforter—not that it gives me any positive pleasure to smoke, but it deadens the acuteness of my feelings whenever anything happens to trouble me.

You have, by this time, become quite a proficient in legal lore, I imagine. I left the study before I had gone any further than the rudiments, and the very little that I learned I have forgotten. I shall not recommence the study if I can continue in my present situation, or obtain another as eligible, for a year at least; at the end of that time I hope to be more able to penetrate its mysteries.

A very large proportion of our class are studying law, I should think. I shall have an opportunity of seeing their success before I attempt the practice. Bob S—— is in Andover Institution! He must make a most dignified appearance among

the black-bearded, long-whiskered students of divinity, whose age averages at least twenty-five years. Cleaveland is studying law in Andover; and Jonas we pedagogues rank in our fraternity. I know not how it is, but I feel a great interest in all my class-mates, though there were but two or three that, while in college, I ever cared a copper about, or who, I have reason to think, held me at that value. If I could meet any member of the Spouteroi, I should feel in the seventh heaven.

Judge Pierce alludes to his fondness for the writings of Sir Walter Scott. Large portions of Scott's poetry he early committed to memory. The introduction to Canto III. of *Marmion*, was a great favorite with him. A portion of it deserves to be quoted, as the lines, by some subtle link of association, became indissolubly connected with his recollections of New England, and the home of his boyhood. Those who heard him recite them, many years afterwards, cannot have forgotten the subdued and gentle spirit in which he did it. As by an enchanter's wand, they seemed to unseal the mystic fountain of memory, *and the waters gushed out.*

But say, my Erskine, hast thou weighed
That secret power by all obeyed,
Which warps not less the passive mind,
Its source concealed or undefined;
Whether an impulse, that has birth
Soon as the infant wakes on earth,
One with our feelings and our powers,
And rather part of us than ours;
Or whether fitlier termed the sway
Of habit, formed in early day?
Howe'er derived, its force confest
Rules with despotic sway the breast,
And drags us on by viewless chain,
While taste and reason plead in vain.
Look east, and ask the Belgian why,
Beneath Batavia's sultry sky,
He seeks not, eager to inhale,
The freshness of the mountain gale,
Content to rear his whitened wall

Beside the dank and dull canal?
He 'll say from youth he loved to see
The white sail gliding by the tree.
Or see yon weather-beaten hind,
Whose sluggish herds before him wind,
Whose tattered plaid and rugged cheek
His northern clime and kindred speak;
Through England's laughing meads he goes,
And England's wealth around him flows;
Ask, if it would content him well,
At ease in these gay plains to dwell,
Where hedgerows spread a verdant screen,
And spires and forests intervene,
And the neat cottage peeps between?
No, not for these will he exchange
His dark Lochaber's boundless range;
Nor for fair Devon's meads forsake
Bennevis grey and Garry's lake.
Thus while I ape the measure wild
Of tales that charmed me yet a child,
Rude though they be, still with the chime,
Return the thoughts of early time;
And feelings, roused in life's first day,
Glow in the line, and prompt the lay.
Then rise those crags, that mountain tower,
Which charmed my fancy's wakening hour.
Though no broad river swept along
To claim, perchance, heroic song;
Though sighed no groves in summer gale,
To prompt of love a softer tale;
Though scarce a puny streamlet's speed
Claimed homage from a shepherd's reed
Yet was poetic impulse given,
By the green hill and clear blue heaven.
It was a barren scene, and wild,
Where naked cliffs were rudely piled:
But ever and anon between
Lay velvet tufts of loveliest green;
And well the lonely infant knew
Recesses where the wall-flower grew,
And honey-suckle loved to crawl
Up the low crag and ruined wall.
I deemed such nooks the sweetest shade
The sun in all his round surveyed;
And still I thought that shattered tower
The mightiest work of human power;
And marvelled, as the aged hind
With some strange tale bewitched my mind,
Of forayers, who, with headlong force,

Down from that strength had spurred their horse,
Their southern rapine to renew,
Far in the distant Cheviot's blue,
And home returning filled the hall
With revel, wassail-rout, and brawl.
Methought that still with trump and clang
The gate-way's broken arches rang;
Methought grim features, seamed with scars,
Glared through the window's rusty bars.
And ever, by the winter hearth,
Old tales I heard of woe or mirth,
Of lovers' sleights, and ladies' charms,
Of witches' spells, of warriors' arms;
Of patriot battles, won of old
By Wallace wight and Bruce the bold;
Of later fields of feud and fight,
When pouring from their highland height,
The Scottish clans, in headlong sway,
Had swept the scarlet ranks away.
While stretched at length upon the floor,
Again I fought each combat o'er,
Pebbles and shells, in order laid,
The mimic ranks of war displayed;
And onward still the Scottish lion bore,
And still the scattered Southron fled before.
Still, with vain fondness, could I trace,
Anew, each kind familiar face,
That brightened at our evening fire:
From the thatched mansion's grey-haired sire,
Wise without learning, plain and good,
And sprung of Scotland's gentler blood;
Whose eye in age, quick, clear, and keen,
Showed what in youth its glance had been;
Whose doom discording neighbors sought,
Content with equity unbought;
To him the venerable priest,
Our frequent and familiar guest,
Whose life and manners well could paint
Alike the student and the saint:
Alas! whose speech too oft I broke
With gambol rude and timeless joke:
For I was wayward, bold, and wild,
A self-willed imp, a grandame's child;
But, half a plague and half a jest,
Was still endured, beloved, carest.

CHAPTER III.

Emigration of Educated Young Men from New England—Maine Twenty-five Years ago—He determines to go West—His setting out—His Letters Home, describing his Journey to Cincinnati, and thence to Natchez—Notice of his Uncle, Rev. James Lewis—Obtains a situation as Teacher.

ÆT. 18–19. 1827.

A PERSON who had never examined the subject, would be surprised at the number of educated young men of New England, who annually go forth to seek their fortunes in other parts of the land. Sons of Massachusetts, Connecticut, New Hampshire, Vermont, Rhode Island, and Maine, fill no small portion of the offices of trust and honor throughout the new sections of the Union; they are also found occupying the highest positions in neighboring States, and in the middle and southern members of the Old Thirteen. It was stated, several years ago, that thirty Representatives, in the Lower House of Congress, were natives of Connecticut, although Connecticut was, at that time, entitled to but two or three members; and this instance is, probably, no unfair specimen of the general fact.

Fronting the old world—the home of modern civilization; trained in habits of free, Christian thought; deeply imbued, too, with the spirit of virtuous intelligence and mental progress, New England must, for ages, continue to be a chief seat of American culture. From this hive of States and Statesmen, young men of superior talent, education, and

practical energy, will still swarm to near and distant parts of the Republic—to Nebraska, Kansas, and Minnesota ; to New Mexico, Oregon, Washington, and California—there to win the prizes of wealth, honor, and renown.

Maine, a quarter of a century ago, held out small attractions to talent and enterprise in any of the great spheres of intellectual life. The professions were crowded to excess. Large numbers, therefore, of the young men, who had received a liberal education, emigrated to other parts of the country, especially to the West and Southwest ; some with a view of returning in a few years ; but the most for the purpose of seeking a permanent home. The West and Southwest then seemed a hundred times further off than they do now ; indeed, so rapidly have railroads, steamboats, and telegraphs, brought the most distant parts of the Continent into neighborly contact, that California and Oregon now appear nearer to Maine than Ohio and Mississippi did twenty-five years ago.

Before leaving College, young Prentiss had formed a plan of going to the New States ; but no specific point of settlement was fixed upon, nor was he decided, on starting, whether he should remain, or return, after a few years, and make his home in his native State.

How well I remember the scene of his bidding us adieu, and going forth in quest of fortune ! It was a beautiful afternoon, in the last month of summer ; the wagon and Old Gray were at the door ; a huge trunk, filled with a two years' outfit, and many a token of maternal and sisterly affection, was in its place ; amid numerous tears, the farewell embrace was given ; then, climbing quickly to his seat, his manly countenance bright with hope, and followed by devout benedictions, he rode away towards Portland. I was just old enough to feel the romance of the scene, without appreciating its import ; and, were I to live a

thousand years, the pleasing, strange emotions of that hour would not be forgotten. Indeed, if I were now to witness one quietly departing for the moon, it could hardly appear so wonderful as his setting out for the Far West then seemed to me.

He proceeded to Boston the same night, and remained there, visiting a class-mate, and other friends, nearly a week. Unfortunately, his letter from Boston is lost. Of his journey from thence to Cincinnati, the following letters give his own description :—

TO HIS MOTHER.

New York City, *August* 9, 1827.

My Dear Mother:

I sit down this evening to write to you, as I promised you I would upon my arrival in New York. You have, probably, before this time, received the letter I wrote you from Boston. I went to Mr. F.'s the same day it was dated—stayed there that night, and also the next day. I was very much pleased with them. Mr. F. appeared like an old acquaintance, though I never saw him before. I shall always remember their kind attention and hospitality. I left Boston yesterday morning at three o'clock, in the stage for Providence; arrived at P—— at ten in the forenoon; went immediately on board the steamboat for this city, and arrived here at six this morning. The distance from Boston to Providence is forty-two miles, and from Providence to New York something like two hundred and forty,—so that in little more than twenty-six hours I came almost three hundred miles. Yesterday morning I was in Boston,—this morning in New York. From Providence, on board the steamboat, it was very beautiful; Long Island being continually in sight on one side, and the shores of Rhode Island, Connecticut, and New York, upon the other. For about fifteen miles before arriving in the city, the scenery—especially upon the mainland side—is superior to anything I had ever imagined. It seemed like one vast garden; and the eye could hardly be kept at rest upon any

single object—even for a moment—so many others were continually courting the view. I could count, and distinctly see, from the boat, more than a hundred beautiful country-seats—large and elegant, and situated in the midst of luxuriant groves. These superb seats pleased me much more than the city itself—though the vastness of that astonished me. The view of it, however, on entering the harbor, is very much injured by its low situation, as you can see but a small portion of it at once. The City Hall is the most elegant building I have ever seen,—far superior to anything in Boston: and the Battery is a delightful place for a walk. I am now at the American Hotel, in Broadway—the most fashionable street in the city. At dinner to-day we had plenty of fruit, peaches, musk-melons, water-melons, &c. I wish I could send some of them to the children.

I have concluded not to go to Paterson, but shall leave the city to-morrow morning for Albany. I shall make no stay, I believe now, except to see the Falls of Niagara, as I am very anxious to get to the end of my journey, and to know whether or not I shall be able to do anything.

I called this forenoon upon Mr. Fessenden,*—the gentleman to whom Mr. Pierce gave me a letter of introduction. I found him very polite and affable. I sat and talked with him about an hour on various subjects, and when I rose to come away, he told me he would give me a letter to a gentleman—a friend of his—in Cincinnati. He, accordingly, wrote me one; and, upon looking at it, I found it was directed to Mr. Wright,† a lawyer—the same one to whom I told you I should be glad to have a letter. He says in it, he was "very much pleased with the young gentleman's manners and address;" don't laugh now—for these are his very words.

I called also at Mr. S.'s, where I drank tea, and from whence I have just returned. They were very agreeable, indeed, and made a thousand inquiries about Gorham, and their friends there. Mrs. S. says she was always acquainted with you from a child—asked a great many questions about you—and desired

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* Thomas Fessenden, Esq. † Nathaniel Wright, Esq.

to be particularly remembered to you, as did also the rest of the family.

I have now written you a long letter, and as I shall not probably stop, perhaps I shall not write again till I get to Cincinnati. You must (one of you) write now, so that I may hear very soon after my arrival. My love to all the children, and to all my friends—and now good night to you all.

Your affectionate son,

S. S. PRENTISS.

TO HIS BROTHER WILLIAM.

BUFFALO, *August* 17, 1827.

MY DEAR BROTHER:—

Being obliged to stay in this village* a day, waiting for the steamboat to go up the Lake, I thought I would not omit so good an opportunity for writing—though I told you on leaving New York that I should not probably write again till I arrived at the end of my journey.

The next morning after I wrote you from New York, I started for Albany in one of the steamboats up the North River, and reached Albany before dusk the same day. This was far the most interesting part of my route. When about twenty or thirty miles from the city, we passed what are called the Palisades—a vast range of cliffs extending about a dozen miles along the right bank of the river, and varying from 300 to 1,200 feet in perpendicular height. They receive their name from their regular and uniform structure, and are, altogether, very grand and beautiful. But they are far exceeded both in grandeur and beauty by the Highlands, which rise thirty or forty miles further up, and in the very wildest part of which—close upon the bank of the river—is situated West Point, an important post, as you well know, in the revolutionary war. It is still strongly fortified, and is, also, the seat of the Military School established by the United States. It is, indeed, a most imposing situation, being many hundred feet above the river (which is here very

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* The city of Buffalo had, in 1850, a population of 42,000.

narrow), and of which it has the most perfect command. We also passed many beautiful villages upon both sides of the river, where passengers were landed and received, and that, too, in a very curious manner. Just before arriving at any landing-place, the small boat was let down, having a long rope attached to it, the passengers and baggage put aboard, and the rope let loose. The boat would then run along the landing-place, leave the passengers—take new ones—and the rope being immediately attached to some of the machinery of the steamboat, in a few moments the small boat would be drawn alongside and taken up. The steamboat all this time going at the rate of twelve or more miles an hour. The distance from New York to Albany is about one hundred and sixty miles, and we were about twelve hours in passing it.

I made no stop at Albany, but have come directly upon my route so far—except yesterday, when I visited the Falls of Niagara. Part of the way I have come in the canal packet boats, which are made expressly for carrying passengers, and part of the way by stages. The boats go at the slow rate of about three miles and a half an hour.

I stayed six or eight hours at the Falls, and viewed them as much as that time would allow. They are truly grand and magnificent; though, I must confess, I was somewhat disappointed in them—especially in the noise, which is not half so great as I had anticipated. Still, they are, probably, the most sublime and tremendous sight in the world; and, I have no doubt, if I should see them again, I should be even more struck than at the first time.

I leave this place to-morrow in the steamboat, and go up Lake Erie to Sandusky, in Ohio; from there I shall take the stage to Cincinnati. I have had a fine time so far—notwithstanding that I have sometimes felt a little home-sick, as I suppose you would call it. However, I am not yet so sick of my bargain but that I would start again if I were at home. It seems a little odd, to be sure, to pass day after day without seeing any one that I know. But this does not much trouble me, for when I am a little home-sick I can *think* of my friends at home, and this is, in some degree, as if I saw them. Tell

mother that I have met with no accident, nor overslept myself a single morning, since I left Gorham—though she will hardly believe so strange a story as the last. I shall expect a letter from one of you very soon after my arrival at Cincinnati. Give my kindest respects to Mr Pierce and wife. Remember me also to cousin Wm. Peabody,* and to all my other friends; and now, last of all, my best love to mother, yourself, and all the rest of the children.

Your affectionate brother,

S. S. Prentiss.

TO HIS MOTHER.

Cincinnati, *August* 28, 1827.

My Dear Mother:

I arrived in this city last Friday night, and should have written immediately—but I thought it would be better to wait a day or two and deliver my letters, so that I might give you some account of my prospects. I presume you have received the letter I wrote William from Buffalo. The next day after writing it, I went on board the steamboat bound up the Lake to Sandusky. We were thirty-six hours on the Lake; the distance is about 250 miles. The next morning after arriving at Sandusky, I took the stage to this place.

The roads in this part of the country are very bad indeed. We were four days in coming through, travelling every night till twelve o'clock, and then starting again at two in the morning. This, as you may well suppose, was the most disagreeable part of it, considering how well I like to lie abed in the morning. After I had rested here a day, I went round and delivered my letters. The gentleman to whom they were directed, received me with a great deal of politeness, and offered to assist me in any plans which I might have in view. My first intention was to attempt immediately to obtain a school, but my class-

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* William H. Peabody, M.D., now deceased. He was an able physician; full of devotion to the science, as well as the practice, of his noble profession. He was, also, an accomplished Christian gentleman, public-spirited, kind to the poor, and devoted to his friends. Long will they cherish his memory.

mate Boyd and several others, advised me against it. I am now in Mr. Wright's office—the gentleman to whom Mr. Fessenden, of New York, gave me a letter. He appears very friendly, and says he has no doubt I can support myself and pursue my studies at the same time. In my next letter I shall probably be able to tell you more about it.

Cincinnati is a beautiful place. It is considerably larger than Portland, and is delightfully situated on the right bank of the Ohio. My office is within a few rods of the river, and looks directly upon it, so that I can at any time see the steam and other boats passing and repassing before the city. You would be astonished to find how cheap produce of every kind is in this State. Corn is sold for ten or twelve cents a bushel, and wheat for twenty. Apples, pears, peaches and melons are all ripe, and cheap as any one could wish. I shall now expect a letter every day from you—you must be sure and write often, and William must write me too. I shall want to hear all about the farm, and how things turn out upon it this year. My love to all the children. Give my respects to Mr. Pierce and wife, and remember me to all my friends.

Your affectionate son,

S. S. PRENTISS.

TO HIS BROTHER WILLIAM.

CINCINNATI, *September* 27, 1827.

MY DEAR BROTHER:

I received your letter about three weeks since, and was, I assure you, exceedingly glad to hear from you. I am looking now every day for another letter, and hope I shall not be disappointed. You must write me as often at least as once in three weeks, and don't take the trouble to pay the postage of your letters. I am glad to hear your crops are like to turn out so well. I suspect you'll miss me a little in husking corn and bunching onions. The screwed hay, I suppose, lies on your hands yet; however, I've no doubt but you'll get a good price for it in the course of two or three years. I presume your apples did not not turn out very well this year, at least they did not bid fair for it when I left home. You must tell me how

many barrels of cider you make. There is here an abundance of fruits of every kind, peaches and melons especially. For three cents I can purchase more peaches than you will raise from the tree in the front-yard. They sell from twenty to twenty-five cents a bushel, and melons you can buy—as large as water-pails—for a cent, or a cent and a half apiece. The markets here are the cheapest, perhaps, in the world. Meats of the best kind sell for two cents a pound, and everything else in proportion. They have their markets every day at five o'clock in the morning, and I often get up, even though so early, and walk through them, just for the sake of observing the abundance of everything necessary for the support of life. I am afraid mother won't believe this about my rising so early, but it is a fact. There is more doing here than at any place of its size in the United States. The number of inhabitants is at present about 17,000,* and during the year past, some 300 new buildings have been put up. I have not been out of the city a gunning yet, though I intend to go shortly. There is plenty of game of every kind, especially wild turkeys, an animal I presume you never saw. They are about as large as tame turkeys and very much like them. I saw a great many flocks, as I came through the State, on the trees and in the road. I have not yet obtained a situation, but have several in view, and shall probably have got one by the time I write again. I would give not a little I assure you, if I could drop in and see you of an evening. Not a day passes but I think of you all, and I hope to see you all again, though not probably very soon. Tell Uncle James I shall be very glad to receive a letter from him.† Give my love to all the children. Tell —— her dollar is on good interest, and one of these days she shall have principal and interest. Samuel

* The population of Cincinnati in 1850, was 115,000.

† The Rev. James Lewis, a venerated elder and local preacher of the Methodist Episcopal Church, now in the eighty-sixth or seventh year of his age. There are few men in Maine who have been in the ministry so long, or whose Christian labors have been fraught with such abundant and lasting good. He entered upon his work in 1800, and now, after the lapse of more than half a century, is still able, occasionally, to resume it. During most of these fifty-five years, he has been wont to preach every Sabbath, generally three times, rarely losing an appointment by sickness, and still more rarely, if ever, by storm, in summer or winter. His labors

and Abby must write me themselves, and A. and G. too, as soon as they are able. My best love to you mother. I shall write you next. Give my respects to Mr. Pierce and wife, and all the rest of my friends. Remember me kindly to all the neighbors, and write again soon.

Yours affectionately,

S. S. PRENTISS.

P. S. To Mother.—Thinking you might be a little anxious about my health, I will just say that I do not think there is a healthier place in the world. I never was in better health.

Your affectionate son,

S. S. PRENTISS.

TO HIS MOTHER.

LOUISVILLE, KY., *October* 4, 1827.

MY DEAR MOTHER:

You are probably much surprised to see the date of my letter, and you will, perhaps, be much more so to hear

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have been pretty equally divided among all the towns within fifteen miles round, and his rides out and back, often over the roughest roads or through heavy snows, would, probably, average from fifteen to twenty miles. It is estimated that he has officiated at not less than 1,500 funerals, sometimes riding for the purpose forty miles. The distance travelled by him in meeting his various Sabbath and week-day appointments, would, doubtless, amount to considerably more than 50,000 miles. If his funeral and camp-meeting sermons be included, he can hardly have preached less than from 8,000 to 9,000 times. He has never received a single dollar of compensation for his ministerial services. Unto all the tens of thousands to whom he has preached, he could say, with St. Paul: "*I have coveted no man's silver, or gold, or apparel. Yea, ye yourselves know that these hands have ministered unto my necessities.*" Though far from rich, his hospitality to his itinerant brethren used to be unbounded. Many a Methodist preacher recalls with delight his sojourn at Father Lewis's farm. He has been instrumental in organizing numerous societies, or local churches, and also in building many houses of worship. Indeed, in several towns of Cumberland and adjoining counties, he was the youthful pioneer, as he is now the universally beloved and revered patriarch, of Methodism. There is not a man living, the sight of whom, riding in his old gig, is so grateful to the eyes of thousands in Gorham, Buxton, Scarborough, Cape Elizabeth, and other neighboring towns, or the news of whose death would fill their hearts with such deep, filial grief. Here is not the place to depict his meek and guileless virtues; but this I will venture to affirm, that when Elder Lewis departs for Heaven, he will leave no better man in all the State to follow after him!—ED.

that I am on my way to Natchez, in the State of Mississippi. I wrote to William but little more than a week since, and I had then no more idea of leaving Ohio, than I had, ten years ago, of leaving Maine. Indeed, it is only three days since I thought of it. I had, when I wrote last, several places in view in the city of Cincinnati, but have been disappointed in some of them, and others did not please me. I was, notwithstanding, on the point of taking a school, the wages of which would but little more than have paid my expenses. I thought, however, I would first ask the advice of those gentlemen with whom I had become acquainted; and they all, without exception, advised me—if I wished to spend a year or two, both pleasantly and profitably—to go down the Mississippi to Natchez, where I should, undoubtedly, obtain a situation as tutor in a private family. In Ohio it is much the same with regard to schools as in New England; but it is quite different in Mississippi, and the other Southern States. There they have no system of common schools; and the rich planters, living at a distance from each other, are obliged to have, each of them, a teacher in his own family. Mr. Storer introduced me to a couple of gentlemen who reside in Natchez, and who are now returning with their families from a visit to the North. I am in company with them, and they tell me there is no doubt I can obtain immediately such a situation as I have described. I have, also, an abundance of letters of introduction to persons in Natchez.

When I first thought of going South, I was rather at a loss for the means, as my money was about expended. I had concluded, at length, to take one of the common schools for two or three months, till I had earned enough to carry me to Natchez; but, on mentioning the plan to Mr. Wright (with whom I have been studying), he told me I should not take a school, and very kindly offered me any sum I wished for, without security, and to be repaid whenever I find it convenient. I, at first, refused to avail myself of his generous offer—but, upon his repeating it, finally borrowed sufficient to carry me down the river. Mr. Wright is, himself, a New England man, and formerly kept the Academy in Portland. He is one of the finest men I ever met

with, and I shall always feel under the greatest obligations to him.

I leave here in the steamboat immediately; and shall, probably, be ten or twelve days in descending the Ohio and Mississippi to Natchez. It is now late in the evening, and I must bid you all 'Good night.' My love to William, Samuel, and all the children; and be assured that, though my distance from home is somewhat increased, my love and affection for it will never be diminished.

Your affectionate son,

S. S. PRENTISS.

In a letter, dated Cincinnati, March 29, 1852, Mr. Wright writes :—

I assure you I remember well your brother, S. S. Prentiss, and have always remembered him, with much interest. He was introduced to me by Bellamy Storer, Esq., of the Bar here, formerly of Portland; and, having spent some time in Portland myself, and having many warm friends there, I was led to such conversation with him as occasioned his stating to me his object in visiting the West, his plans, &c. I saw in him very interesting and very promising traits of character, young as he then was, and tendered to him my services, and invited him to spend his time in my office as long as he chose. We took considerable pains to find a school for him, but found no situation at all inviting; one place, at a village about twelve miles out of town, had engaged his attention, and he was thinking strongly of going there to teach a school for the winter, though he disliked it exceedingly; for our Western villages were rough and dull, and he would be removed from all the friends he had made in town. He evidently felt rather downcast at this time, not discouraged—for he always showed much energy—but a little home-sick, I thought. There were so many young men flocking West, that it was difficult for them to find employment; teachers were not in demand, as in New England; he was short of

money, and, I saw, was very unwilling to apply to friends for it. He spent his time pretty much in my office; but lawyers' offices here furnish no compensating employment for students. I contrived, however, to throw some trifle into his hands. In September he became acquainted with a gentleman residing, or well acquainted, at Natchez, who became interested in him, and made such statements to him, in relation to prospects in that region, that he was disposed to try his fortune there. He hesitated a good deal about it, however, and seemed reluctant to separate himself so far, both in place and people, from his early associations. But his native energy prevailed. I told him I had no doubt he would find employment there for the time being, and a good field for enterprise. Yankees of talents and integrity generally succeed there. My only fear was, that he was too *modest* for that region,—*diffident*, perhaps, I should say.

"I gave him a couple of letters, one of them to a man who died before he got there, and he started off. I have not often parted with one, after so short an acquaintance, with so much regret. He left here about the beginning of October, 1827, spent near a month in descending the river; and, after teaching more than a year, and completing his legal studies, was admitted to the bar in 1829; and after this, rose, like an eagle cut loose from the cord that had bound it, till he soared above all of his profession in the State, and among the first orators of his times.

"He wrote to me repeatedly, after reaching Mississippi. He could hardly reconcile himself to the country, the manners, the want of New England *comfort* and neatness; and, for some time, expressed a determination to return North, as soon as he had accumulated the means of finishing the study of his profession.

"While in my office here, he was very studious, sociable, and pleasant; showing clearness and quickness of mind, and great command of language, for one so young. He was retired, rather secluded in his course of life, keeping his main object ever in view. I ever felt great interest in him, and regarded his death, in the very prime and vigor of life, as a national loss.

TO HIS MOTHER.

NATCHEZ, MISS., *November* 3, 1827.

MY DEAR MOTHER:

You have, probably, received before this a letter, dated at Louisville, Ky., informing you that I had left Cincinnati for this place. I arrived here yesterday, having been about three weeks in performing the journey. The steamboat ran aground several times upon the sand-bars, on one of which she lay a week. While the hands were getting her off, the passengers would go ashore, and hunt, there being plenty of game in the woods. I came very near, at one time, being left behind by my love of hunting. The boat had run aground one morning, and the captain told us we might go a gunning, as he didn't think he should be able to get her off before night. Accordingly several of us went ashore with our guns, and went into the woods. I parted from the rest, and followed up a little creek in pursuit of some wild ducks. Having spent a couple of hours, and killed three of the ducks, I returned to the bank of the river—when, behold! the boat was gone. There was a little log cabin close by (the only habitation for perhaps thirty miles round), where I immediately inquired what had become of the boat, and was told she had started at least an hour before. I was, as you may well imagine, in a pretty pickle. They told me, however, that she would, probably, stop to take in wood about two miles below, and that, if I was expeditious, I might, possibly, overtake her. I accordingly threw away my ducks, shouldered my musket and marched on as fast as I could. Upon arriving at the place, I saw the boat had left it, and was nearly half a mile on her way. I hailed her as loudly as possible, when she put about, came back and took me in. But if I had been one minute later, I should have lost my chance. I could have staid, however, at the log-cabin, till another boat came along. But it was a dreary place, and in the midst of the forest. Tell Abby to look upon her map at about the middle of that part of the State of Indiana which borders on the Ohio river, and she will be near the spot.

The country is very little inhabited on the banks either of the

Ohio or the Mississippi. Most of it, along the Mississippi especially, is entirely overflowed for half the year. Sometimes there is a little spot which can be cultivated, and in such places I have seen the corn fifteen feet high. The banks of the Mississippi are also covered with immense brakes of cane, or reed, which grow very thick together, and are of a most beautiful green.

I had letters to some of the first men in Natchez, which I have delivered; and they tell me they have no doubt I shall obtain, in a few days, such a situation as I wish. They appear very friendly, and offer to assist me in any way I may desire.

I am very anxious to hear from you all. You must write often, and tell me how everything goes on at home—how the neighbors do, and what crops you have raised from the farm. Tell Uncle James to write me too, if he has not already done so. You will hear from me again soon. In the meantime, my love to you all.

Your affectionate son,

S. S. P.

TO HIS BROTHER WILLIAM.

NATCHEZ, *November* 21, 1827.

DEAR BROTHER:

You will, no doubt, be glad to hear—at any rate I am glad to be able to write you—that I have at length obtained a situation. It is in the family of a widow lady, who lives about twelve miles from here, in the country. She has five children, whom I shall have to teach. It is said to be one of the most respectable families in the country. The lady, too, I understand, is very pious, which will suit mother exactly. Her name is Shields. The great advantage of the situation is, that Mrs. Shields has in her house one of the finest law-libraries in the State—her husband having been formerly Judge of the Supreme Court. I am to have the entire use of this library; so that I shall be in as good a situation for pursuing my studies, as if I were in a lawyer's office. I made the engagement yesterday, and to-morrow shall go out to stay.

I suppose it is not far from Thanksgiving time now. I would

walk a great way to be at home on that day. You must remember me when you carve the roast turkey, and cut the pumpkin pies. I am exceeding anxious to hear from you, having had but one letter since I left home. Remember me, as usual, to my friends and the neighbors. My love to you all.

Your affectionate brother,

S. S. PRENTISS.

TO MRS. EVELINA PIERCE, GORHAM, ME.

NATCHEZ, MISS., *December* 6, 1827.

MY DEAR MADAM:—

It is with the greatest pleasure that I comply with your request that I should write you some account of my fortune after I left New England. It is a task too agreeable to omit, though, alas! my adventures have been of so ordinary a nature that I am afraid they are hardly worth relating. I have met no giants—seen no damsels in distress—and, upon my honor, have been neither robbed, drowned nor murdered,—although I have travelled about three thousand miles since I left home. I beg leave to correct myself—I did see one damsel in distress, and it was a case in which my knight-errantry was of some avail. It was on board one of the packet-boats between Albany and Utica, and thus it was:—A young lady, one of the passengers, looking over a newspaper, saw the article about a Frenchman's mounting in a balloon from the vessel which was to go over the Falls of Niagara. "Good heavens!" said she to the gentleman next to her; "Is it a fact, or is it only a quiz?" He could not inform her; she applied to the next one—he was as ignorant as the former. The poor girl was in an agony of curiosity; to one and to all the question was put, "Was it a fact?" "Was a Frenchman to rise in a balloon?"—one and all were profoundly ignorant. At last she applied to me—but it was with a kind of desperation, and a look which told that she did not expect much from so insignificant a looking animal as myself. I pitied her sad condition, and, thinking it would be uncharitable to suffer so fair a maiden to die of curiosity, told her that it was absolutely a fact—that I had seen the French-

man in New York, and conversed with him. The gentlemen stared at me, as much as to say, in plain English, I lied. But the damsel—thinking she had learned a wonderful piece of information—repaid me with a smile that was richly worth forty—lies. But I beg your pardon for talking such nonsense, and would advise you to skip the preceding page.

I travelled very rapidly from Portland to Cincinnati, stopping only at Boston, New York and Niagara Falls. At Boston I stayed a week—part of which I spent at Mr. F.'s, and very pleasantly, too. At New York I stayed but three days, nor had I any desire to stay longer—two or three hours were entirely sufficient to gratify all my curiosity for seeing. I have somewhat the feeling of the trapper in the *Prairie* in that respect; and the Highlands of the Hudson afforded me far more gratification than all I saw in the city of New York. I stayed at Niagara but two days, though I should have been glad to tarry there a week, could I have done it conveniently. I was disappointed in this stupendous cataract; as, indeed, I could hardly fail to have been. I had heard and read of it so often that I had formed a vague idea of something vast and grand beyond what it is possible for nature to produce. Of course when I saw the real cataract, though far the most sublime and magnificent sight I had ever beheld, still it did not equal my expectation. In fact, I have been disappointed in almost everything I have seen, and begin to suspect that there is not so much difference between one part of the country and another as I had imagined. Indeed, I have a vastly better opinion even of the good town of Gorham, than I had before I left it. The imagination is very prone to clothe remote objects with a thousand charms which, in reality, they do not possess; and whatever knowledge of fact is wanting, is amply made up by the illusions of fancy. For this reason we prefer visiting remote places, to those which are near us; and a person will often go a thousand miles to see an object, which a man who lives within twenty of it, has never taken the trouble to examine.

'Tis distance lends enchantment to the view,
And robes the mountain in its azure hue.

At Cincinnati I stayed about two months; during which time I pursued my studies in the office of Mr. Wright. My funds beginning then to wax low, I was obliged to bestir myself, and concluded to try my fortune further south. * * * *

I have now written you a letter, which, I am afraid, will exhaust your patience in reading. I hope, however, you as well as Mr. Pierce, will consider it worth an answer; not so much on account of itself, as the feeling which dictated it. The pleasant days I spent at your house will not soon be forgotten—for they were among the pleasantest of my life; and I shall always gratefully remember the kind interest which Mr. Pierce and yourself were pleased to express in my welfare. Accept my sincere and respectful wishes for your happiness.

Your obedient servant,

S. S. PRENTISS.

Nota Bene.—The lasses are not so handsome here as they are in Maine.

TO HIS MOTHER.

NATCHEZ, MISS., *December* 22, 1827.

MY DEAR MOTHER:

I am afraid you will think I write almost too often. At any rate you can hardly complain that I do not write often enough, since I have sent you, I believe, some nine or ten letters within the short time I have been from home. I wrote to William about four weeks ago, informing you that I had, at length, become stationary, which, doubtless, you were very glad to hear, as you might begin to think I had become a wandering sort of a character. I have been now three weeks in my new situation, and am very much pleased with it indeed. It is an extremely pleasant family, and my labor is slight, in comparison with what it would be in a common school, and the only objection I have is its great distance from home; a circumstance which I presume I think of fully as often as you can yourself. If I could run over a couple of thousand miles in the course of an evening, you would be likely to see me amongst you two or three times a

week, at least. However, as that is impossible, at least for such a slow traveller as I am, I must even make the best of it, and visit you in imagination, if I cannot in reality. I shall probably continue here a year, at any rate till a better situation offers. I mean in point of salary, for in other respects I should not wish a better. I have, as I told you in my last, three hundred dollars a year and board. I have also the privilege of taking in two or three of the neighbors' children, which will probably bring me in another hundred. I am confined about three or four hours a day, and the rest of the time I have entirely to myself. I spend it in studying law, reading and gunning. I have a horse whenever I wish to ride, and gun and ammunition, when I wish to go a hunting, which I do an hour or two almost every day. Indeed, I have everything found me I can possibly wish, and the only expense I can be at, will be for my clothing, of which I have a sufficient quantity for a long time to come, thanks to the care of a mother. They have no snow in this part of the country; of course no sleigh-riding, a thing I shall miss very much. It is already their winter here, yet a fire is seldom needed, and the roses are blooming every day in the garden. They sow green peas at Christmas, and in February the spring opens, and they go to work in the fields. For myself, however, I prefer the cold weather of the North; it is so delightful to sit by a good fire and hear the storm whistling without and beating against the windows, while all is comfortable and pleasant within. Still this is a very beautiful climate in the winter, and perhaps I shall like it even better than my own, when I become a little more accustomed to it. Cotton is the production of this part of the Union, and here they raise nothing else upon their plantations. I have seen thousands of acres of it since I came here. It is picked from the stalks by negroes, and being cleaned of the seed by machines called gins, is then packed up in bales, nearly as it comes to you. The cotton plant is about the size of your currant bushes, or perhaps a little larger, and the cotton grows in pods as large as hen's eggs. When it is ripe the pods burst open, so that a field of ripe cotton looks somewhat as if it were covered with snow. The plantations yield from fifty to

three or four hundred bales each. I wrote to Mr. Boyd, at Cincinnati, a month since, to forward me any letters there might be for me there. In a few days, I presume, I shall receive them, which I am very anxious to do, as I have had but one letter from any of you since I left home. I wish you to write me at least once in three weeks, and tell me all the news of your part of the world; how the children do, how they come on with their studies, how much you have raised on the farm, who among my acquaintances are getting married, how the neighbors all do; the most trifling things will all be interesting to me, now I am so far from home. I believe I told you in my last to direct your letters to Natchez, Miss. I also date mine there, though I live ten miles from the city. My love to William and Samuel, and all the children. Remember me, also, to all the neighbors. Receive for yourself the best wishes of your truly affectionate son,

S. S. PRENTISS.

CHAPTER IV.

Letters Home while teaching in the Family of Mrs. Shields—Notice of George W. Pierce—Letters from his Class-mate, Appleton—Takes Charge of an Academy—Trip into Louisiana—Anecdotes of him by one of his pupils—Is Licensed, and commences the Practice of Law in Partnership with Gen. Huston—His Appearance at this time—Anecdote of his first Speech at the Bar—Trip to Columbia Springs—His Views of Slavery.

ÆT. 19—22. 1828—1831.

TO HIS MOTHER.

NATCHEZ, *February* 12, 1828.

MY DEAR MOTHER:—

I again sit down to the pleasant task of writing to you—and, for a little while, shall almost imagine myself at home. Indeed it requires very little stretch of the imagination to carry me back amongst you; and often, when I awake in the morning, I expect to hear you calling me to breakfast—forgetting that I am two thousand miles beyond the reach of your voice.

I received, last week, a letter from you and William, dated December 24th; and was very glad that you had heard of my safe arrival here, as I knew you would be anxious about me till you did. William says you were all astonished at my letter from Louisville—you cannot have been more so than I was to find, by his letter, that you had sold the farm, and moved into the village. Though I doubt not it is for the best, still, I assure you, it made me feel disagreeably to learn that the place, where we had so long lived together, where I have so often been a-gunning and fishing, had passed into the hands of a stranger. Perhaps, one of these days, one of us will be able to repurchase it. But I doubt not, as I said before, it was much the best

thing you could do; and I am more especially glad because it will free you from so much care and trouble, and will give the children such great advantages for schooling. You must now be very pleasantly situated—that is, if you have got into your new house. I imagined it could be no other than Mr. C——'s, as I had heard you speak frequently of purchasing that, in case you should ever move to the village.

I am glad that William has given up the idea of going to sea; in my opinion he has acted wisely. What does Samuel turn his mind to? As for G——, we were to make an admiral, or some other great character, of him; tell him to mind his book, and take care of the garden. I am glad Abby has the advantage of the seminary, for she is sufficiently old to attend some such institution. The girls ought to have all the advantages possible; we boys can easily take care of ourselves. I am very much alarmed to hear that your health is not as good as it has been. I hope you will take every possible care of it—do not be over-anxious about us children.

The first quarter of my school is out to-morrow night. I go into company very little, though I have been introduced to most of the people hereabouts—I feel no inclination for society—and, besides, I cannot afford the time from my studies. I wish to get through with my profession, and settle somewhere as soon as possible. Sometimes, however, I am very lonesome, and would give a good deal, could I drop in of an evening, and find you all together.

I do not like the manner of living here, so well as I do our Northern fashion. The white people themselves differ very little, as I can perceive, from those of our own part of the country. Slavery is the great pest of this as well as all the other Southern States. It is considered disgraceful for a white man to do any kind of hand labor—and everything is done by the slaves. Of course, things are done in a very poor and slovenly manner; and, though the people here are far wealthier than they are in the North, yet I do not think they live so comfortably or so happily. The negroes themselves, however, appear to enjoy life, and are, for aught I see, as happy as their

masters. It is not often that they are treated so cruelly as we are accustomed to suppose, and in general they are better off than they would be if they were free—still it is a hard case for them at best.

I have nothing new to tell you concerning myself since I wrote last. As I shall probably continue here a year, at least, and should like to have the news from Maine, I wish you would send me the weekly *Eastern Argus*. If you will speak to Mr. Pierce, he will attend to it.

And now, my dear mother, as it is very late, I bid you good night, and also the children, to all of whom I send my love. Remember me, as usual, to all my friends.

Your affectionate son,

S. S. PRENTISS.

TO HIS BROTHER WILLIAM.

NATCHEZ, *April* 20, 1828.

DEAR BROTHER:—

I was very glad, as you may well suppose, to hear from you all again, and to know that you are well and happy. I have nothing new to tell you concerning myself, as I keep pretty close to my business—studying all the time I can spare—and, of course, meet with nothing very interesting or extraordinary. I continue to be much pleased with my situation—and, indeed, do not think I could have found one in the whole State so well adapted to my views. As I told you before, I have the sole use of a very extensive and excellent law library, which I consider as good as a hundred dollars a-year at least. There is also a large library of miscellaneous books—so that I am in no want of this essential article, without which, indeed, I should hardly be able to exist. The family is a kind and amiable one; and, if I did not utterly detest the business of teaching, my situation would be quite bearable.

Mother requests the names and ages of my scholars. They are as follows:—William, who has just returned from Nashville; he is about eighteen years of age, and a fine young fellow. The

next is Gabriel, who is sixteen, an excellent scholar, and also a fine young man. The others are Francina, Joseph, and Elizabeth, of the respective ages of thirteen, nine, and six. They are all of good disposition, and I find no trouble whatever in managing them.

I am glad to hear you have given up the idea of going to sea; at least if you can get business on shore. Probably you will turn your attention towards trading, with the intention of becoming a merchant. At any rate that is what I would do myself, had I not a profession. I consider it far the easiest, as well as one of the most respectable, roads to wealth; and did I care much about wealth, I would, even now, change my pursuits. For I consider the profession of law in New England (where I think I shall settle myself eventually, after all), as one of the very poorest, in point of emolument. In this State, however, the lawyers "live in clover," as we say; the most ordinary make two or three thousand dollars a-year, and some of them five, six, and seven. Perhaps you will ask me why I intend leaving a place where money is so easily made? I am not sure that I shall; but the reasons which induce me to think about it are these--one of the first and most powerful, as you may well suppose, is that I may be nearer my friends; another is, that I would dislike to live in a slave-holding State; furthermore, I have seen no part of the Union which I think pleasanter, all things considered, than that which I left. The only advantages which these Southern States possess over those of the North, are the greater facilities they afford for the accumulation of wealth, and this, you know, I consider a very small item in the account of human happiness. At least, I know it would have small influence upon my own. There are some other reasons which induce me to think that, in the course of two or three years, you will see me amongst you again.

You astonished me very much by your account of the wonderful things that are going on at Gorham. A dancing school! and you attending it!! Why really, brother, I should not have expected that of you. I am afraid you have become entangled with some of the young ladies at the village, and are trying to "hop" into their good graces.

Pray write, you or mother, as often as every three weeks, and oftener still, if convenient. Tell me everything that happens—even the most minute news will be interesting. My love to you all. Remember me particularly to Mr. Pierce and wife—as well as to all our relatives and acquaintances.

Your affectionate brother,

S. S. Prentiss.

My kindest respects to my new-married cousin B——, and tell her I wish her much joy. How is Aunt D——? Tell her I think of her often.*

TO HIS BROTHER WILLIAM.

Natchez, *June* 23, 1823.

Dear Brother:—

The weather here, for two months past, has been intensely warm; I do not, however, suffer so much from it as I anticipated—owing in a great measure, as I think, to my very profuse perspiration, which is so great that my clothes are almost continually wet through with it. My health has, as yet, been very good, and I have hopes will continue so through the summer.

I have ridden round the country considerably since I have

* This venerated relative died in 1849, at the advanced age of more than four-score years. She was a native of Cape Cod, and an excellent specimen of the household energy, thrift, good sense, and self-denying toil, which marked the noble women of New England in the age of the Revolution, or in the earlier days of the Pilgrims. Her kindness and personal devotion to the sick, were quite wonderful. At Gorham, where the most active portion of her life was passed, she was a true Sister of Charity; and long will her memory be cherished in that pleasant village. For many years hardly anybody could be sick without sending for "Aunt D——;" and whether it were night or day, in summer or winter, sunshine or storm, who ever knew her refuse to come, if she had strength to do so? It was worth a fit of illness to have *her* to tend you; she was always so cheerful, and motherly, and strong-minded. It would be a long record that should commemorate all her acts of mercy and neighborly love; that should tell how many nights of watching she spent in the sick-rooms, alike of rich and poor, or how many eyes were, by her friendly hands, closed in death. This passing tribute to her worth is the more grateful, inasmuch as she had a particular affection for the subject of this memoir.—Ed.

been here, but have seen nothing worth relating.* The appearance of things is as uninteresting as you can well imagine. There are no mountains to enliven the prospect; the streams and brooks are little muddy puddles, running through gullies and quagmires,—and the lakes, of which there is a great number, are perfect honey-pots, very similar to one or two little ponds, which you may recollect, on the way to Sebago Pond. These lakes abound in snakes and alligators. I have frequently rode out to several lakes a few miles from here, for the purpose of hunting wild ducks, and have seen some of these enormous alligators—twelve or fifteen feet in length. In the heat of the day they come out of the water upon the banks, where they delight to lie and bask in the sun. I have been up to several as they lay asleep on the shore—within two feet—and examined them as closely as I pleased. They are not dangerous upon land, though considered so in the water.

The houses of the planters, notwithstanding their wealth, are

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* The spot where Natchez stands forms the principal scene of the romance of *The Natchez*—of which *Atala*, mentioned in your letter, is you know, an episode. I have read the work since I have been here, and with great interest, as you may imagine. * * The appearance of the country, in the vicinity of Natchez, is the most singular I have ever seen—especially when contrasted with the rest of the Mississippi banks. I have been in every direction for forty or fifty miles around, and have, therefore, had a good opportunity for observing it. Though there are no hills of any magnitude, yet it is the most broken and uneven country in the world. Apparently it might once have been level, but has been torn to pieces by the rains, which, by-the-by, are far more violent here than in the North. Indeed, the country is a continued succession of ridges, ravines and gullies. The nature of the soil is such, that a single rain will often tear a field to pieces, and render it entirely unfit for cultivation. It is principally of clay, and destitute of all minerals. I have not seen a rock as large as my head since I came here. With respect to the state of society, I have not found so great a difference between the South and the North as I had anticipated. Still the distinction, in many respects, is marked. It being considered here, degrading for a white man to labor in the field, the people, of course, have much time upon their hands, to get rid of which they have balls, parties, ride about, and, especially, employ much of their time in hunting (deer are their principal game, of which there is a great abundance; the largest portion of this State being still a forest). They live rather more *freely* than we of the North, and are what, perhaps, we should call a little dissipated; yet, on the whole, I think the state of society is more correct, and the people more moral, than they are usually considered.—*Letter to Judge Pierce*, April 11, 1828.

not better than those of our common farmers. They are, usually, two or three miles distant from each other, and each one surrounded by some ten, twenty or thirty negro cabins, which are the very pictures of misery and filth. You inquire about politics. I can give but slight information on that subject, as it is one concerning which I trouble myself none at all, and for which I do not care a brass button. Old Hickory, I suppose, has this State, though the friends of the Administration are quite numerous. When I go into Natchez, I will have one of our papers sent you, by which you will learn more than I can tell you on the subject. I have received the *Argus* regularly, and am much obliged to you for it. It will give me all the news from Maine. I am glad you have become acquainted with Hilliard and G. Pierce. Hilliard is a particular friend of mine, and though I can boast of nothing more than a common acquaintance with G. Pierce, I think him a very fine fellow.* My love to you all.

Your affectionate brother,

S. S. Prentiss.

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* George W. Pierce was born at Baldwin, Me., December 2, 1805. He graduated at Bowdoin College, in the class of 1825, and studied law at Portland, with Hon. Stephen Longfellow (a name not less honored by the social worth, patriotic virtues, and legal ability of the father, than by the poetic genius of the son), and afterwards at the Law-school in North Hampton, where he occupied the same room, I believe, with his friend and distant relative, President Pierce. He was admitted to the Bar of Cumberland County in 1829, and in 1832 married the eldest daughter of Mr. Longfellow. He was rising rapidly in his profession, having already twice represented Portland in the State Legislature, and been elected in 1834, County Attorney, when sudden disease cut him off, in the very bloom of manhood, Nov. 15, 1835. His untimely decease was regarded as a public misfortune, and smote with grief an unusually large and cultivated circle of kindred and friends. At the opening of the Supreme Court, on the day preceding the interment, the late Chief Justice Mellen announced his death with the touching eloquence of a personal bereavement, to which Judge Parris responded in a similar strain. Had his life been spared, he bid fair to reach high honors in the Democratic party, of which he was so bright an ornament. I remember him well when studying, for a while, in his brother's office at Gorham. Though a mere boy at the time, I shall never lose the impression he made upon me by his manly beauty, the gentle courtesy of his manners, and the cordial, benignant smile with which he always accosted me. He was, indeed, a fine specimen of humanity, and one might almost wish to die as early as he died, for the sake of being mourned with such holy and undecaying affection as has enshrined *his* memory!—Ed.

About this time he became extremely restless and melancholy. For several months a dark cloud seemed to hang over his mind. He avoided society, and refused to tell any one the cause of his gloom. In the letter to Judge Pierce, just quoted, he writes:

It was, I assure you, with no common degree of pleasure I received the kind letter from yourself and wife, which came to my hand a few days since. It gratified me much to hear of your welfare, and also to perceive I was not entirely forgotten by those whose remembrance I value so highly, more especially as I had begun to feel the sorrowful conviction that I was already blotted from the memory of all except the few whom the ties of kindred place under a kind of necessity of recollecting me. I know not how it is, but though there is no person in the world whose heart responds more warmly, when touched upon the chord of affection, it has yet been my fortune to make very few friends (perhaps not one) in the short portion of life through which I have travelled. I speak not now of the common herd of acquaintances, such as I have here, such as any one may have, who will laugh when you laugh, but when you look sorrowful, flee from you as if you were infected. I mean those who would at least drop a tear over your grave, and read with a sorrowful eye, the "*Hic jacet*" upon your tombstone. I doubt not but the defect is in myself; but I have seldom met the person whose feelings were so much in unison with my own, as to make an intimacy either practicable or desirable. You may judge, then, of the great pain I should feel, upon losing the remembrance of the very few whose remembrance I care anything about preserving.——I am very grateful, [he adds, in a note to Mrs. Pierce, of the same date] both to yourself and Mr. Pierce, for the interest you express in my fortunes, and can only assure you that your kind feelings are fully and heartily reciprocated. The short time I spent in your house, seems to me now like one of those green spots which frequently spring up in the midst of a desert, and which are the more delightful from the barrenness that surrounds them.

The following additional extracts from letters of his friend Appleton, though partly belonging to an earlier period, reflect light upon this phase of his inner life. The last of them is a model of good sense and friendly counsel. Happy would it have been for him, if his morbid impulses had always been as wisely and kindly treated.

WILLIAM APPLETON TO S. S. PRENTISS.

DERRY, *August* 11, 1827.

DEAR CHUM:

I received yours in due course of mail, and yesterday a letter from T——, informing me of your leaving for Ohio. I am glad that you received, before setting out, such favorable accounts of matters and things, and trust your anticipations will be realized. I thought I had told you of the intentions I formerly had of going to the South. If I had gone, however, I should have hardly been nearer you than I now am. I have some thoughts of engaging here for some time longer, but it is uncertain; I want you to write me in your next, with regard to the facilities for the study of the law, at Cincinnati. Whether it is possible to get situations which will defray expenses, while, at the same time, one is pursuing the study. How long a time is required for admission? Can a person of moderate abilities succeed better there than here, or support himself and gain a competence more easily? These questions I will thank you to answer to the best of your ability, and also, give such other information as you may think useful. I have, for some time, thought that I should practise my profession in some place more free from lawyers, and fruitful in clients, than New England; but I have as yet formed no definite plan for my future life. The prospect of being near you would be a very great inducement to me to go. Indeed the prospect of finding so old and firm a friend, would alone reconcile me to leaving so many. You will oblige me by writing me about the matter as soon as possible. I don't think it at all probable that I shall go for some time, if indeed I ever do, but I should like to have some means of comparing the advantages of the two States, before I form any plans for a

permanent residence here. As I told you on my first page, I heard from T——, yesterday. He was on the eve of leaving Brunswick, and did not intend to return there.

I shall probably attend the Cambridge Commencement, and go to N——, from Boston. I hope nothing will happen to prevent, as I anticipate much pleasure in seeing T—— again, and talking over *auld lang syne.* The recollection of two or three college friendships are the only things which I can recur to with pleasure, as happening during my college life, and I trust you know me too well to think there is any affectation of sincerity in my saying that through life I shall remain true to the friends I have acquired.

You did not inform me with regard to your intentions, whether they were to enter the practice as soon as possible or pursue some other employment, for some time.

You saw, I suppose, some of our classmates on your way. I am entirely ignorant of the fate of most of them.

I shall endeavor to hunt up McLellan and Apthorp, in Boston. I saw Joe a short time since. He appears already, what in college was apparently the highest object of his ambition, a complete blood.

If your letters give me favorable accounts of the place, it is possible that I may then set out for the Western Canaan. I wish I could tell you some news, but I know of nothing. I have neither seen nor heard of any person or thing lately, which would interest you in the least. Indeed, I can think of nothing else to say, unless I should reiterate expressions of my friendship for you, which you are too well assured of to require. Write soon, and long.

Sincerely yours,

WM. APPLETON.

FROM THE SAME TO THE SAME.

DERBY, *Oct.* 14, 1827.

DEAR CHUM:—

I received your letter in due course of mail, and was sorry that I had proposed to you those questions, the answers

to which, almost filled your letter, as you had so little room to talk about yourself. A day or two after I last wrote you, I made an engagement to remain here a year longer, so for the present, at least, I shall not think of visiting the Western Country. You almost frightened me by the story you told of the state of your finances, but I trust you have ere this obtained a situation lucrative enough to reimburse you. You want to hear all about matters and things, and I will tell you as well as I can recollect. I attended Cambridge Commencement, saw Mac. in Boston, also, Tom McDougall. Cleaveland and Merriam visited me some days since. They are at Andover. Cleaveland intends going to New York soon, to finish his study, and to practice Law. Merriam to be a pedagogue for life. They had a tolerable Commencement at Bowdoin.

I had a letter from Lord lately. He will soon go into business as a merchant. He mentions having seen several of our classmates, Farrar and others.

I saw Moulton, of the class after us, at meeting to-day, but not long enough to learn the Maine news. I will see him to-morrow, and on the faith of his having something interesting to communicate, I will not finish my letter till then.

I trust you find good cigars in Ohio. The Lord knows how I should get through with the day without my two. To speak the truth, chum, this is a curious world that we live in. We are perpetually either lamenting the shortness of life, or devising measures to kill time. Would that you could help me puff away the blues. It was really good to see Cleaveland with a cigar in his mouth, in my chimney corner. As the blue cloud settled over our heads, I almost fancied I could trace in it the phantoms of old college friends, armed with similar mouth-piece.

Moulton has told me that Bowdoin C——, has become very witty, and is the greatest wag in college. He takes a high rank in his class. Moses will turn his brilliant talents to the study of medicine. Moulton has entered Andover Institution. Abbot had the first part.

Peabody* delivered a splendid poem; Dorr, the Salutatory.

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*Rev. Ephraim Peabody, D.D., of Boston.

We have had some pretty severe frosts here, which did not, I suppose, reach to your latitude, and for a fortnight past I have enjoyed the comforts of a blazing fire. I assure you that I often, about nine o'clock in the evening, resting my feet over the fire-place, and my head on the back of my chair, recall the memory of the last winter evening we spent in college; when, unconscious of the blessings we enjoyed, we talked of pleasure that we were to taste when emancipated from college walls. We have both of us found perfect happiness as far off as before. For my own part, I intend to make up my mind to take life as it is, and so drink down the bitter, as I would a dose of medicine, in one swallow, and have done with it, and let every drop of sweet dwell long on the tongue, as I would a draught of good Madeira. Hoping you have the same mind, and that you will find your cup but little diluted with the bitter, I bid you good night. Write me soon, and tell me all about your situation and prospects. Everything about yourself will be interesting.

Yours,

WM. APPLETON.

FROM THE SAME TO THE SAME.

DERRY, *February* 6, 1828.

DEAR CHUM:

I received your letter this morning, and, I assure you, am well disposed to obey your injunctions to answer it immediately. I had begun to be a good deal troubled lest you should have met with some misfortune, or I had met with that of losing your remembrance and friendship. I had heard once that you had settled in Kentucky, but from your saying nothing of a temporary residence there, suppose I was misinformed. In the first place, chum, I sincerely congratulate you on your good fortune, for though not exceedingly lucrative, your situation must be in every other respect very eligible. But you want to know about matters and things in this region, and I will proceed *sans ceremonie*, as Tutor Abbot would say, to tell you. To begin

with the personage of the most importance in his own eyes, *I* am still in this Academy, receiving for my labors about the same compensation as you. I shall continue here six months at least. At the end of that time I may remain here, or resume law, or instruct somewhere else. Every day's observation serves to convince me that professional men, especially lawyers, in this quarter, must have uncommon talents to secure even a competence. Scarcely any of our young lawyers are independent of their friends for the first years of their practice. I, of course, am desirous to secure this independence, and if the chances to a person of common capacity, of realizing a comfortable and tolerably genteel support, are in favor of the Western States, they possibly may be my final destination. You, probably, feel some interest in the fate of our class. I will give you all the information I am master of. You, perhaps, have not heard of Apthorp's death. He died about two months since, of a very rapid consumption. He had been engaged as private tutor near Baltimore, and returned on account of his health, and died at home. I have understood him to be the fifth victim to that complaint, of the children of the family, and that one of his sisters is thought now in a decline. You and I shall remember him, for who more conduced to the enjoyment of our college life than he, by his wit and humor?

Abbot, Southgate, and Trask are in Andover Institution. I had a letter from Lord a few days since. He has engaged in mercantile pursuits; says that Farrar is studying law in Philadelphia, Paine in Portland, Granger and Leland in Saco. Cleaveland made me a visit of a day a few months since. Is now studying law in New York. Our friend Jonas is teaching school in Amherst, and succeeds uncommonly well. They think so highly of him, that they say they mean to build an Academy, and engage his services permanently. I suppose you are now in the very head-quarters of Jacksonism, but as you as well as I, have not much personal interest in the struggle, I trust you have not become very warm on the side of the "Hero." I understand that Bowdoin College goes on very quietly, with reduced numbers, it is true, but improved scholarship. This

Academy will send two or three very fine scholars there next Commencement. I see by your letter that your affection for Spanish cigars remains undiminished; knowing that, I shall, at least twice a day (after dinner and supper), call to mind the pleasant hours we have spent together. We then railed at our lot—but, though were we to live that life again, we might know how to enjoy it more, and, I at least, improve it better; yet it must be confessed that there were some few crumbs of comfort amidst all our troubles. I have felt the want of suitable books to read very much since leaving B. This place is as barren of them as any town I ever knew. The newspapers, among them the *Farmer's Cabinet*, which you will recollect, for its containing the story of the good woman, who blessed the Lord for nothing, constitute my soul resource against the blues. I saw Mac. some months since in Boston. He was in a law office, and had a treatise on Real Actions in his hand, by chance, I suspect, for his table was covered with the same medley of newspapers, magazines, novels, and song books, as when he was in college; the drawer as he showed me, was filled with pieces of old gloves, flints, pistols, gunlocks, cakes and apples. In short, everything about him was the same as when he was in college. He poetizes considerably, I believe. T—— is studying Divinity in Hartford, Conn. If you continue to have any thoughts of acting Cato's soliloquy with a butcher knife, I would advise you to act Macbeth's first, and the first line, "Is this a dagger," &c., will cure you of any design of making your quietus with so vulgar an implement, compared with which a "bare bodkin" would be genteel. As you are in the land of sporting and duels, I hope your excellence as a shot will be of service to you. I trust you will find smaller game plenty, however, and will not be under the necessity of firing at a larger mark, with the uncomfortable reflection that you yourself are at the same time a target. Now, chum, you see that I have answered your letter the day on which I received it, and that, too, with a closely written sheet of foolscap. As I have thus obeyed your commands, I have, in my turn, a right to command you too. Sit down as soon as you have read this, (if you finish reading it), and tell me all about

yourself, and whatever else you please, in an epistle as long, at least, as this; for certainly you have much more of the variety which makes letter-writing easy and letters interesting, than I enjoy in this quiet, sleepy place.

Ever yours,

APPLETON.

FROM THE SAME TO THE SAME.

DERRY, *May* 13, 1823.

MY DEAR PRENTISS:

If I may judge by my own feelings of impatience for receiving your letters, you will be glad to have an immediate answer to that which reached me this afternoon.

Your answers to my inquiries only served to confirm me in my former ideas of the comparative advantages and disadvantages of the Western States. I think I shall conclude to try my fortune among the Yankees, and if I don't succeed, it will then be time enough for me to visit the land of wealth, slaves, fevers and mosquitoes. I shall remain in my present situation at least three months longer, perhaps another year, and after bidding farewell to Academy walls, mean to renew my acquaintance with Blackstone and some other of our mutual friends. You will want to hear the news of this section of the country. I shall be rather at a loss to supply you, for my correspondent Lord, who is my most faithful chronicler on subjects of common interest to us, has not written to me for some time, and probably will not till I entitle myself to an epistle, by answering his last. One, to me, melancholy circumstance, you have not, perhaps been acquainted with. My cousin, Alfred Mason, died in New York not long since, of a fever which he caught in attending the patients in the hospital. I understand he was considered the first among three hundred medical students, as to professional talents. Several obituary notices of him have appeared. Among others, a very well written one, by George Pierce, in the *Portland Advertiser*.

You say nothing of politics, but I suppose you are by this time a strong Jacksonian. Our political papers are quarrelling at a great rate. I make it a point of believing both sides, and consequently, have come to the conclusion that our politicians are a race of as mean, unprincipled scoundrels as ever polluted the earth with their tread, or the air with their breath. I have fully made up my mind not to become a candidate for the Presidency, till the characters of the political men are purer, or the press less calumnious. I wish you to communicate these my sentiments to the Legislature of your State of Mississippi.

I have a vacation in about a week, and although I have only been absent about ten weeks, I anticipate a visit home with no small pleasure. The consideration of so great a separation from my friends would weigh with me more strongly than any other, against going to the South. My attachment to my friends, I find, rather increases as I grow older. Bowdoin College goes on quietly, with a small number of students. I have not heard whether the Peucinian Society has decayed still more, or regained its former standing. Your recollections of your college life appear to be pleasing. I have none such, except the remembrance of our friendship. While at B——, you railed most about the miseries of college life. I then tried to make myself believe that I enjoyed it, but the more I think of my situation then, the more convinced am I, that were I to live my college life over again, I should not only improve, but enjoy my time far better. I believe I am not naturally prone to indulge in unpleasant reminiscences, but, I feel every day the want of having formed habits of application and mental abstraction while my studies were directed by others, and I had nothing else to occupy my mind. But a truce to moralizing. We have both of us seen letters written by students after finishing their college course, and I am not vain enough to suppose my own croaking more interesting than that of others. I wish to hear from you oftener than our practice of waiting for an answer will admit, and will suggest the plan of writing every other month. For instance, I shall write again on the first of July, and if you are willing, should like to have you pursue the

same plan, that each may receive letters at intervals of every two months.

My mode of life here is not unpleasant, as I have become acquainted with several agreeable families, and do not feel, as much as I did at first, the want of some more agreeable companions than my own thoughts.

The last time I heard of George Pierce, he was about going into business with his brother Daniel—his health not allowing him to pursue his law studies. I think it must be rather unpleasant to him to be obliged to give up all his prospects of professional and literary eminence, though, probably, his business will not deter him from cultivating his literary taste.

Good night; beware of paying homage to the climate by a fever.

Ever yours,

W. Appleton.

FROM THE SAME TO THE SAME.

Derry, N. H., *July* 30, 1828.

My Dear Chum:—

I must begin with acknowledging myself very much to blame for not writing the first of this month, as I said I should; I have had engagements sufficient to justify a want of punctuality in a common correspondence, but I acknowledge they should not have prevented me from doing my part in the execution of a plan which I first suggested.

I am very sorry that you have made up your mind to be unhappy, and am also a little surprised, as I had supposed your situation tolerably pleasant as well as lucrative. Would not you enjoy yourself better if you went into society more? I, of course, know nothing of the state of things there, but although you may not find those to whom you can feel warmly attached, yet I hold that any society is better than none; and that, even if a man were among the Hottentots, it were better for him, for the time being, to conform himself, in some degree, to their habits,

and try to feel some interest in objects around him and within his reach, than to suffer himself to despond because he does not find everything to his mind. But in so large a place as Natchez, it is impossible but that by exertion you can find some agreeable acquaintance. There are two gentlemen from this State who, if report speaks true, are both uncommonly pleasant men—Dr. J. Bell, and Mr. Dinsmoor, a lawyer from a town adjoining this. If you are not already acquainted with them, I suppose it is not very difficult for Yankees to become acquainted with each other when so far from home. At any rate, chum, if you cannot find any society more pleasant than solitude, do not allow yourself to be low-spirited; "send care to the dogs," as you said, in a former letter, you meant to do, and do not think because you have not realized all your expectations in this Southern excursion, that your prospects for life must necessarily be blasted, and that all chance of future success or eminence is taken away. We neither of us are old enough to exclaim with Solomon, "all is vanity;" and I cannot but believe that when you return to this quarter, which, I trust, will be very soon, you will attain that success to which your character and talents entitle you. If your health is not injured, I think you will, on the whole, find few reasons to regret having gone on your tour, for you are not so old as to render it absolutely necessary that you should enter on professional practice immediately; and you have had opportunities of seeing parts of the Union which otherwise, very probably, you would never have seen. I trust that you feel no more inconvenience from the heat of the summer than the debility which you mentioned. You, of course, feel the necessity of a great deal of care, and, with suitable attention to diet and exposure, I suppose the climate may be prevented from seriously injuring the constitution. I trust if either of us is permitted, at some future time, to drop a tear over the other's grave, it will be when he has lain down to rest after a long, happy, and useful life, among friends who reciprocated his affection.

I heard from Lord but a day or two since: he mentions having heard of you through Mr. Pierce of Gorham—he is engaged in business with his brother. Both Hilliards are in Mr. P——'s office, as you probably know.

Farran has engaged in business with his brother in Bloomfield. In an excursion which I made into the interior of Massachusetts and Connecticut, a few weeks since, I saw McLellan, Eveleth, and Bridge, at Northampton. McLellan has applied himself a good deal, I understood, and took a very respectable rank in the Law School. At Hartford, Conn., I met Baldwin, who happened to be in town; he is studying divinity at New Haven. He said Brinsmade was keeping school at a town in the western part of the State. David Shepley preached in Amherst during my last vacation. I was to-day informed that Stowe has been appointed Professor at Bowdoin College, and has accepted. I do not know what department he will take charge of. I still continue in the business of school-keeping, and shall, probably, another year. It is rather a gloomy prospect to look forward to, but I shall endeavor to submit to circumstances with as good grace as possible.

You speak of doubting whether you shall pursue your legal studies. I trust you have no serious thoughts of discontinuing them; the law is the profession for you, if any. I hope you will write me, in your next, that you are making your arrangements to return to New England, to finish your studies and enter on the practice. I cannot believe you have any serious thoughts of going to the countries of Spanish America, as you seem to have no fixed object in view. In New England a competence is ensured to but a moderate share of application and abilities, and a competence in New England, I presume, you would think quite as desirable as a large fortune in those new republics, or even in the region where you now are.

Let not my failure break up the plan which I suggested about our letters. I will write again within two months, and hope to hear again from you before that time. And now, chum, as my paper is growing scanty, I have only time again to recommend to you to take some measures for the ejection of the blues; live as happily as you can while at Natchez, and come back to New England as soon as possible.

Most truly your friend,

WM. APPLETON.

S. S. PRENTISS TO HIS MOTHER.

NATCHEZ, *July* 26, 1823.

MY DEAR MOTHER:—

Since I wrote you last, I have, rather unexpectedly, made a considerable change in my engagements and situation. But you need not be alarmed—my move has been but a short one, and the change, I believe, for my advantage. I have left the family in which I resided, and taken an academy about eight miles from Natchez. When I made my former engagement, I reserved the privilege of availing myself of any better offer I might have. I had the offer of the academy about three weeks since, and immediately accepted it. I felt a good deal of regret at leaving Mrs. Shields—I had got to be so much one of the family that it seemed almost like leaving home again. I taught with Mrs. Shields between six and seven months. My salary for that time has enabled me to pay off all my debts and the money I borrowed from Mr. Wright. I have fifteen or twenty dollars left, and can now begin square again.

How long I shall continue here I do not know. They would like to engage me permanently, but I have only engaged for a year, and am doubtful whether I shall continue longer—I wish to finish my profession and conclude where to settle as soon as possible.

Week before last I made a trip into the State of Lousiana to St. Francesville, about eighty miles from this place, partly for the sake of seeing the country, and partly because I had heard there was a vacancy in a college near there, which I thought I might, possibly, obtain. I had been, however, misinformed, there being no vacancy in the college. St. Francesville is on the Mississippi River; it is a pretty village, and situated in an extremely fertile country—but is one of the most unhealthy places in the United States. I went on horseback, and was gone three days—during which time I rode two hundred miles; you may judge from this that my health is very good. I should hardly have been able to take such a ride before I left Maine. Their saddle-horses here, however, are all *pacers*, which makes it much less fatiguing—I would not willingly undertake to ride our old *Gray* two hundred miles in the same time.

I am at present very hearty; and, as some of the warmest weather has passed, I am in hopes I shall get through the summer without the tax which strangers are usually obliged to pay the first season.

I have sent William a Natchez paper, *The Ariel*, and would like to have him send me *The Yankee*, published in Portland, by John Neal. I wish you would write to me as often as once in three weeks. You know not what pleasure it affords me to hear from home. Give my love to all the children, and remember me to my friends at the village, as well as elsewhere.

Your very affectionate son,

S. S. Prentiss.

The following communication from one of his pupils, Joseph D. Shields, Esq., of Natchez, will be here in place :—

As I was a mere child, while your brother resided in my mother's family, my own impressions of him as a teacher, are very indistinct. But I can give you a few incidents, illustrative of his character at that time, which may not be uninteresting to you.

Not far from my mother's residence was a log school-house, where the gentry, and young men of the surrounding neighborhood, formed a Debating Society. In this woodland forum your brother gave abundant earnest of his future greatness as an orator. His speeches were especially remarkable for their sprightliness, wit, and withering sarcasm. On one occasion, as an actor in the scene told me, his opponent in debate was a vehement declaimer, whose thoughts, when at white heat, would so far outrun his words, that he generally became exceedingly confused. After speaking some time with much violence, he suddenly stopped while under full headway, threw up his hand, and clasping the back of his cranium, exclaimed: "Mr. President, I've got the idea, sir, but I can't express it." "It is very well the gentleman has informed us," quietly retorted Prentiss, "or we never should have suspected it."

The old school-house has disappeared, and its last vestige been destroyed by the plough-share.

While teaching, he was very temperate in his habits. Indeed, so far as I know, his habits were unexceptionable while he was at Natchez. But on one occasion, he joined a party of young men, who rode into the city to dine. As usual, the juice of the grape mingled with the flow of soul, and, before the social, after-dinner converse was over, they all got somewhat merry. Mounting their horses, at rather a late hour, and having twelve miles to ride, they determined to make a dash of it, and thus save time. Now, it so happened that Prentiss was mounted on a horse which had been raised for the turf, but not having fulfilled his destiny, had been degraded to a saddle nag. He retained, however, all the fire of the racing breed. Indeed the animal was a very Gunpowder of Ichabod memory, and had passed from his former owner to the Brom Bones of the neighborhood, in consequence of having unceremoniously immersed him in a duck pond.

The jolly company started off in full gallop, but had not travelled many hundred paces before Prentiss and Oscar (that was the name of the beast) darted on ahead, and were soon lost in the distance. The rest of the party finding pursuit useless, at length cooled down into a quiet pace, convinced that Oscar and his rider would, after a while, reappear. But as mile after mile lay behind them, and it was getting very dark, they began to feel somewhat uneasy, when of a sudden, they were hailed by that unmistakable voice, with its peculiar lisp—"Hallo, Boyths! hallo! I say, Oscar has spilled me!" They approached through the darkness, and found him seated on a bank by the roadside. He had clung to his dare-devil steed as long as he could, and finally with great reluctance, "let him travel on alone." With no small effort, he was in due time mounted behind one of his comrades, and the gay cavalcade made the best of their way home, quite charmed with the adventure. It were well had he, as *second endorser*, never came off worse in after life.

He was always eager and impulsive. Soon after leaving our roof, he heard of a situation in Louisiana, and immediately went down to apply for it—while there, it all at once occurred to him

that a bosom friend was to make his *début* in a Fourth of July oration, at the old school-house. He had seventy or eighty miles to travel, in order to be there, and only one day to "make the point." He ordered his horse at daylight, rode hard all day, and reached Natchez late at night. Explaining to his host the necessity of his being at the celebration, which was some fifteen miles distant, he gave direction to be called up very early, but when he awoke the next morning, he perceived, to his chagrin, that the sun was far up in the heavens. Ordering his horse quickly as possible, he spurred, or rather *caned* him to the top of his speed, and reached the rostrum just as his friend got through his peroration.

S. S. PRENTISS TO HIS SISTER ABBY.

NATCHEZ, *September* 24, 1823.

MY DEAR SISTER:—

I received, a few days since, your letter of July; and shall answer it with a great deal of pleasure—especially as it is the first one I have received from any of you, except William and mother. I am glad to hear that mother has recovered so much from her illness, and that all the rest of you are well. I, too, continue to enjoy an uncommon degree of health, and, if possible, am more hearty even than when I left home. As the sickly season has now pretty much elapsed, I have little fear for the present year. I am well satisfied with my new situation, and have had an addition of two scholars since I wrote last.

I suppose apples are about getting ripe with you now. They do not thrive well here; neither do cherries or plums; but peaches and melons grow in abundance, and also the fig, a most delicious fruit, of which I am extremely fond. I wish I could send you a basket of them, I know you would like them. Wild grapes grow in profusion in the woods, and some of them are equal to our best plums. There are many kinds of fruit which we have not in the North; but still I think those of the North are preferable.

I am glad you are so pleasantly situated at the village, and

have so good a school to attend. You have improved very much in your handwriting: and the watch-paper you sent me is quite a pretty one; I shall keep it a long time. You say S—— talks of going to sea; he had better try some other business; go to a trade, or into a store. Encouragement for sailors must be very poor, since the restrictions laid, last winter, by Congress, upon commerce. However, if he wishes, let him go one voyage, and he will soon be sick of a sailor's life. G——, I suppose, does not begin to think yet what he shall do; tell him to study hard. I must not forget A—— among the rest of you. You must write me again, and tell me all that is going on in the village. You will hear from me again in a few weeks; in the meantime my kindest love to you all.

Your affectionate brother,

S. S. PRENTISS.

TO HIS MOTHER.

NATCHEZ, *November* 18, 1828.

MY DEAR MOTHER:—

I have been in daily expectation, for a fortnight, of hearing from you, and have delayed writing some days on that account. My wishes were gratified yesterday, by receiving a letter from you and sister Abby—whom I thank very kindly for writing me again. I need not assure you how glad I am to hear that you are recovering from your illness: the news of which had very much alarmed me.

My school is going on well, but I am perfectly disgusted with the business of teaching; it does not suit either my temper or disposition. Nothing would tempt me to make a profession of it. I shall, next fall, either return to Maine, or settle here as a lawyer. I have been somewhat doubtful on this subject: should I settle in this State, I have no doubt I could make a fortune with the greatest ease, and my friends here urge me very strongly to do it. But you know I never considered wealth as the most important ingredient of happiness; perhaps I look upon it with too little regard. In every other respect I should far prefer the North to

the South. The society is better, the country is more beautiful, and, besides, you have, in the North, no slaves—a strong objection to the South. But yourself and the rest of my relatives and friends, afford a still more powerful inducement for me to return. All these considerations have determined me upon setting my face towards home next autumn. You will, perhaps, think I had much better have staid at home in the first place; but I am of a different opinion, and were I at home now, would make the same trip again. I shall consider the two years that will have elapsed when I return, as far more profitably spent than any others in my life. I intend to return very leisurely through the interior of the Union, visiting whatever is curious or remarkable, so that when I get home I shall have made a pretty good tour of the United States. You must write me immediately, and tell me what you think of all these plans.

I suppose your Thanksgiving will come on presently—if I were within a couple of hundred miles I would be with you. Next year you may have a few pies extra, for you know I am a tough hand among pumpkin pies, and it would be no wonder if I should pop in upon you about that time. It is growing late—Good night, and my love to you all.

Your affectionate son,

S. S. Prentiss.

TO HIS BROTHER WILLIAM.

Natchez, *February* 4, 1829.

Dear Brother:—

You think, perhaps, that I have forgotten you, by my delaying to write so long beyond my usual time, but you will excuse my apparent neglect when I inform you of the reason. In my last letters, you will recollect, I had come to the determination to return, next autumn, to New England. Upon more mature consideration, however, I am convinced that I should act very much against my interest; and, though I had fondly cherished the idea that, in the course of a year, I should

revisit the spot which will always be to me dearer than any other, yet I think you will agree with me that it is my duty to remain here. Since I wrote last, I have been making more particular inquiries than I had before done, with respect to my prospects, should I continue here a few years; and I find them far superior to anything the North can hold out. By studying this winter, I can be admitted to practice next July—whereas, in Maine, I should be obliged to study more than a year. I have, accordingly, given up my school, and am in a law-office in the city. The gentleman with whom I am studying, is a Mr. Walker—the first lawyer in the place; he has promised me every assistance in getting a start. I have money enough to support me, with prudence, till I get into practice—and I have no fear of success after the first year. I have been several weeks in doubt on this subject; and the reason I have delayed writing was, that I might inform you, with certainty, of the result. Be assured that my feelings towards home have undergone no alteration, and my determination is as strong as ever to come back to Maine. Should I collect a little wealth, I know nothing in the world that would afford me such pleasure as to return and share it with my friends.

Your affectionate brother,

S. S. P.

TO HIS BROTHER WILLIAM.

NATCHEZ, *April* 9, 1829.

DEAR BROTHER:—

I have been from town for the last month, which is the reason I did not receive your letter until yesterday, and is also my excuse for not writing sooner. As I have nothing else worth relating, I will give you some description of the trip I have been making. One of the young Shieldses purchased a sugar plantation in Louisiana, about thirty or forty miles south-west of New Orleans,—upon a bayou, or stream, called De Arbonne—and, going down a month since to settle it, persuaded

me to accompany him. We started from this place in a flat-boat, and proceeded down the Mississippi to the bayou La Fourche, which took us about six days. We entered the bayou at a small town called Donaldsonville, and proceeded down some sixty miles to another village, called Thibodeauxville—where we landed, took horses, and rode twenty-five miles to Shields's place. This part of the State has just begun to be settled by the Americans. It had been considered of little account till within a few years; when, upon examination, it was found to contain the best sugar lands in the United States, and perhaps in the world. It has, however, been settled for some time, by the French—and even at present, they form at least nine-tenths of the population. They are the poorest, most ignorant, set of beings you ever saw—without the least enterprise or industry. They raise only a little corn and a few sweet potatoes—merely sufficient to support life; yet they seem perfectly contented and happy, and have balls almost every day—I attended one, and was invited to several others.

The lands here lie in a very curious manner. There are a great number of creeks, or bayous, as they are called, running up from the ocean, parallel to each other. Upon each of these is a strip of high land, from one to ten acres in depth, on either side, after which it falls into a swamp, and so continues till you come to another bayou; thus, between every two bayous there is an extensive swamp. I stayed with Shields four or five days, and then returned to the La Fourche, where I took a steamboat to New Orleans. I stayed in New Orleans three or four days, and never was so heartily tired of a place in my life. I saw nothing worthy of observation, except the immense quantity of business, and that was truly astonishing. I tried to find out if there were any vessels from Portland, but could hear of none. Taking a steamboat at New Orleans, I arrived yesterday at Natchez, well pleased with my trip.

Month after next I shall apply for admission, and commence the practice of law. My sincerest love to mother and to all the children.

Believe me your affectionate brother,

S. S. P.

Mr. Shields thus refers to this trip:—

Another instance of his impulsiveness occurs to me. The same friend, whose Fourth of July oration he made such effort to hear, moved about this time from the homestead. Taking his stock and other movables to Natchez, he shipped them on a flat-boat. There are two landings at N——, and after loading at the upper, he cast off and drifted to the lower. Prentiss was on the boat to take his leave, and accompanied her this short distance. Just as they were again casting off, and in the act of bidding adieu, his friend suggested.

"Prentiss, suppose you go down with us and enjoy the varieties?"

"But, my dear sir, I've no clothes."

"Oh, never mind that, we'll supply you."

After a little persuasion he consented, and left for an indefinite trip without money and without clothes. I rather fancy that what with cattle, sheep, hogs, horses, and fowl, to say nothing of dogs or cats, he had about the roughest fare on that "broad-horn" that he ever endured. Still it was probably the most delightful trip he ever took. His friendship with the captain and chief mate, gave him the run of the kitchen, while every inconvenience was the subject of jest and merriment. He was the light and soul of the party.

I have recently heard an amusing anecdote of this expedition, which is as follows:—

You are aware that our Father of Waters is a most headstrong and gyratory stream. Instead of flowing on smoothly, like other rivers, it rolls and tumbles in all directions; while its eddies are a terror to the small craft, that depend for progress upon a regular current. If caught, they sometimes revolve for days in an orbit of a few hundred yards. It unluckily happened that the broad-horn aforesaid, became involved in one of these eddies. Round and round it circled, hour after hour, in spite of the efforts of an able-bodied crew, to extricate it from the snare. Of course all hands were ordered by the captain, who was a person of indomitable energy, to man the oars, and when

the boat veered to the edge, to give "a long push, a strong push, and a push all together." But in the midst of all their activity, Prentiss kept his seat, and jeered the crew. In vain they begged him to come to the rescue; no persuasion could induce him to lend a helping hand. Every volley of jocular abuse from the captain, was replied to by a volley of sharp raillery from his imperturbable passenger. To all entreaties he returned a characteristic answer. "Come, come, Prentiss, for heaven's sake, do now help us just a little, will you?"

"Can't do it, Boyths, I'm saving myself for an emergency!" After a hard struggle, the rim of the miniature mäelstrom was weathered, and the boat floated out into the current.

A day or two after this incident, there occurred a storm so violent that the party tied up to the bank. The weather was intensely cold for our southern climate, and they huddled around the fire on board. In the midst of the hilarity aroused by the novelty of their situation, and the amusing incidents of their voyage, the crew were startled by the cry of *fire! fire! The boat's afire!* Every man sprang to his feet and rushed for the water buckets, except Prentiss. He scrambled to the side of the vessel, tumbled overboard, seized his hat in lieu of a bucket, and began to pitch the water into the flames, nearly extinguishing them before the rest of the party reached the scene of action. He was warmly congratulated on his quickness and presence of mind. Puffing and blowing from his sudden exertions, draggled with wet, and with a dripping, starchless hat, he replied to the thanks that were showered upon him, with his inimitable archness, "There! boyths, didn't I tell you I was reserving myself for an emergency!"

Many are the stories of his wit and humor, after the party reached their destination. The country at that time was a wilderness, skirted along the margin of the bayou, by settlements of Canadian French, and yet Prentiss's friend, as is usual with emigrants to a new home, was infatuated with the region. He had described it as a second Eldorado, blending the glory of the tropic with the mildness of the temperate zone. It yielded the sweet cane and the orange, and abounded in all manner of

tropical fruits. Such was the picture of the country. But when they arrived at the Golden Valley, things did not look so inviting by a great deal. Big timber, mud cottages, lagoons, Spanish moss, the concert of alligators, frogs and musquitoes—these and congenial phenomena, afforded Prentiss an inexhaustible theme for raillery, and he improved it without mercy. Yet his satire was so good-humored, as well as keen, that it gave infinite amusement to his companions.

"My dear sir," he exclaimed to his friend, "you've moved to a country that's afloat. It ought to be sawed off with a whip-saw, and pulled out to sea. It abounds in all manner of tropical fruits, indeed! I see an abundance of *blackberries*."

His friend was one day praising the morals of the community, and boasted they did not require a jail; there was none in the country. "Perhaps so, but then this very fact may prove that the rascals are in the *majority*, and won't build one."

I give you the above, at second-hand. Of the numberless bright and witty sayings, that sparkled from his lips, but few are preserved. They were jewels cast upon the waters of oblivion, and have sunk to the bottom—you may recover one here and there, from the memory of a friend, or the tradition of an observer, like myself, but not enough, I fear, to give any adequate idea of the richness of the mine from whence they emanated.

S. S. PRENTISS TO HIS SISTER ABBY.

NATCHEZ, *May* 31, 1829.

MY DEAR SISTER:—

I have sat down this Sunday morning, while you are all preparing, I suppose, for church, and intend to give you a long letter. I have been studying pretty hard of late, preparing for examination. Candidates for admission are examined at the Supreme Court, which sits next week at Monticello—a town about eighty miles from Natchez, in the interior of the State. I shall go out on horseback a week from next Wednes-

day; so that, I presume, by the time you read this letter I shall have a lawful right to the title of "Esquire." I shall leave Natchez immediately after, and settle, probably, at Port Gibson —a flourishing village some forty miles above this place. It is a very pleasant town, and not visited by the yellow fever. The winter and spring have been uncommonly cold in this country, till within a few days, but now the weather is excessively warm. I have no news to tell you: my health continues good, and my spirits are also pretty good. But now let us talk a little about home—which is a much more interesting subject to me than any other. How do you all do? And how do all the good people at the village? Though it has been almost two years since I left you, yet it seems but yesterday. Everything is fresh in my recollection; I know how all the houses and yards and trees stand; and if I should return to-morrow, I could tell in a moment every alteration that had taken place, even to the nailing-on of a shingle. Two years seem very long in looking forward, but are as a moment when recalled from the past. I am afraid, however, by the time I return, some years hence, things will be greatly changed. My old acquaintances will have grown up, and left the country. The girls I used to play and romp with, will all be married and hardly recollect me; W—— will have taken to himself a wife; S—— will be a stout, careless sailor, with a short jacket on; G——, a shrewd, calculating, good-looking, young fellow; you, my dear, will be a tall, handsome, grave, young lady; A——, a roguish, laughing, giddy-headed girl; as for mother, I shall know her immediately—she will always look the same to me. You do not write half often enough from home: I should like to have a letter every fortnight—and if you would take turns, you might write as often as that without any trouble. You are not half particular enough when you write—you ought to tell me every little thing that happens in the family. And now, my dear sister, I have written you a long letter, and I am sorry it is done, for it is a great pleasure to write home. My love to you all.

Your very affectionate brother,

S. S. Prentiss.

In a letter to his elder brother, dated June 18, he writes :

I found no difficulty in passing the examination and obtaining the license. Yesterday I returned to town. Monticello is one hundred miles east of this, upon Pearl River. I am now a lawyer, but how I shall succeed is a doubtful question. The prospect, I confess, is rather dull, even here—the profession being very much crowded. However, if I can make out to get a start, I have no doubt I shall ultimately succeed.

With respect to your idea of emigrating to this country, I hardly know what to say. There are few sorts of business which a young man can go into, unless he has capital. He will have to obtain a clerkship, or a situation as a schoolmaster. It is extremely difficult to obtain the more lucrative clerkships, on account of the great number of young men who yearly come down the river, from the Western country, in search of business. I would have you to consider carefully before you take so important a step, whether you cannot make a good living, and enjoy as much happiness in Maine as anywhere else. I confess, too, I should be sorry on mother's account, as well as the children's, that you should leave home. Still, if you are bent on emigrating, I would not discourage you, and I do not doubt you will succeed in the end. However, if I was myself in Maine, with my present experience, I would not leave it.

TO HIS MOTHER.

NATCHEZ, *June* 24, 1829.

MY DEAR MOTHER:

I have made an arrangement of considerable importance, for the ensuing year—and, as I think it is a very good one, I have sat down immediately to inform you of it; for I know you feel more interest than any one else in the world in my welfare. I have entered into a partnership with Mr. Huston*—a lawyer in this place, of high standing and extensive practice. I am to have a sufficient portion of the profits of the business to support me handsomely, and defray my expenses of every kind.

* Gen. Felix Huston.

Next year, in all probability, I shall be able to continue with him on much more favorable terms. But the great advantage of the thing is, that I shall gain more knowledge of business this year, than I should in two or three years, had I started by myself. Mr. Huston has a plantation in the country; so that, if there should be an epidemic this summer, I shall have a place to retreat to.

I have seen no people here whom I ever saw before, with the exception of my classmate, Boyd.* But I frequently meet with *Yankees*, who are much more numerous here than I had supposed: quite often, too, I see individuals from Maine. A large portion of the men are emigrants; they are very enterprising—but associate little with each other, except in the way of business. Self is here the sole object—each one being entirely absorbed in his own views, and caring little or nothing for his neighbor. As to the women here—their general character is, that of being extremely reserved and distant in their manners, especially to strangers. But I am ashamed to say that I know very little about them. You inquire about churches—there are in this town, a Presbyterian, an Episcopal, a Roman Catholic, a Baptist, and Methodist church. They are pretty well attended, and the sabbath is kept here very near as strictly as in Portland. I attend sometimes the Presbyterian, and sometimes the Episcopal, service.

With regard to sending brother G—— to West Point, I am decidedly in favor of it. It will afford him the opportunity of getting a good education, without the expenses incident to a college; for, if I recollect right, the cadets are not only found, but receive twenty or thirty dollars per month pay. It is not absolutely necessary that a young man should go into the army after being at West Point; but still, if G—— goes there at all, he ought to make up his mind for the army and a soldier's life. That is the purpose for which the Institution was founded, and I do not think it right for a young man to avail himself of the advantages of it, unless he intends to pursue a military course.

* S. S. Boyd, Esq., of Natchez.

My dear mother, you have not written me lately, nor have the girls. They must write me frequently, and tell me what they are studying, the news of the village, and all that kind of matter. Do you keep a cow and the old horse? I shall expect a letter now in a few days, as I have not received one for three or four weeks. My love to all the children.

Your affectionate son,

S. S. PRENTISS.

His correspondence during the next year affords no incidents worthy of note. He was much gratified, in the course of the winter, by a visit from his elder brother, which seems to have revived his desire to return and settle in Maine—for his letters breathe an unusually home-sick feeling. He occasionally alludes to his labors and speeches in court; never saying more of the latter, however, than that he "believed they did pretty well."

There are many persons in Mississippi, who retain a vivid recollection of his personal appearance and forensic efforts at this period. "I have his picture in my parlor," writes Judge Wilkinson, of Yazoo City, after his death. "It is like him, but it is not like him as I first saw him. I well remember the impression he produced upon me, twenty years ago, when he entered the hotel at Natchez, as I sat by the fire, an entire stranger to every one. I had never heard of S. S. Prentiss, and saw many strangers every hour in the day. I did not hear him speak—and he was gone in a moment—but there was a light in his face that I had never seen in any other, and which prompted me to inquire who he was, from the keeper of the hotel. 'A young lawyer just called to the Bar,' said he. Little did I dream of the relation in which we were afterwards to stand to each other!"

"His never-failing readiness and self-possession are well exemplified in an anecdote I have often heard, of his first appearance at the bar. The Judge who presided, and the

names of the parties, I have never ascertained. The locality was Brandon, a small inland town, ten miles from Jackson, in the very backwoods of the State at the time the incident occurred. He was a slight-made, beardless boy, extremely youthful looking, by no means physically imposing, and a stranger to all at the court. It was a case he was appearing in for Mr. Huston; and when it was called, he responded to it, and stated the nature of the case, and that it stood on demurrer to some part of the proceedings which he desired to argue. The Judge, with some nonchalance, told him he did not wish to hear argument on the subject, as he had made up his mind adversely to the side Mr. Prentiss appeared for; upon this, Mr. P. modestly, but firmly, insisted on his client's constitutional right to be heard, by himself or counsel, before his cause was adjudged against him. The right was recognized—and he was heard, and made a speech that astonished both court and bystanders: and the Judge, to his honor be it spoken, was not only convinced of the error of his previous opinion, but had the manliness to acknowledge it. Few young men, in a strange place, with a cause prejudged and the decision announced, would have so boldly asserted and maintained their client's rights."*

TO HIS MOTHER.

NATCHEZ, *July* 11, 1830.

MY DEAR MOTHER:—

Before this time, I suppose William has got home, and I almost envy him the pleasure which he must experience on seeing you all again; even after his short absence. You may judge from his pleasure, how great mine would be to visit home, from which I have been absent now something like three years. It has been a very long period; though it takes but a

* Wm. C. Smedes, Esq.

moment to carry me back in imagination to the day when I left you, and started off in the wagon, with my large trunk and still larger expectations. I hope before three years have again elapsed, I shall be with you; on a visit, at least. I sent by William, some little presents to the children, which, though not of much value, I know they will receive with pleasure, as coming from their brother. To George I sent the watch, which I had when I left home. To Abby, a small diamond finger ring, and to Anna a work-box, with a number of little articles in it; of which, however, she will know the use better than I.

My first year at my profession has just closed, during which time I have been able to support myself, and also, to pay my debts, so I am now just about square with the world. I have to-day arranged with my partner, the terms on which we are to continue together. He offers me one-third of the business, which I shall accept.

If my success answers my expectations, I shall feel it my duty to continue here some years—though my inclinations strongly urge me to go home, and settle in my native land.

I see by G.'s letter, that he feels an inclination to go to college. If he continues of that mind, I should advise letting him go, by all means. It will take him one or two years to prepare, and by that time, I think, I shall be able to assist him. If I am, I will most assuredly do it with the greatest pleasure, for I hold a good education to be worth a thousand times more than it costs. Tell him to think seriously on the subject, and to write me about it.—My love to all.

Your affectionate son,

S. S. PRENTISS.

TO HIS YOUNGER BROTHER.

NATCHEZ, *Sept.* 22, 1830.

DEAR GEORGE:—

I received, with a great deal of pleasure, your letter, and hasten to answer it. I should have written before this,

but I have been absent for the last three weeks, on a trip to the Eastern part of the State. I have been out to Columbia, on Pearl River, where there are some Springs, to which the people resort in the warm season, for recreation and pleasure. I went on horseback, and more for the sake of the exercise than anything else; I did not enjoy myself, however, as much as I expected; for I was alone, and the country through which I passed is extremely uninteresting. The Eastern section of this State, after you get twenty or thirty miles from the Mississippi River, is one continued Pine-Barren, precisely like the plains, upon which we used to go blueberrying, and indeed, the country continues of the same sort, entirely through to the Atlantic Ocean. You may judge, then, how dull it must be, travelling through such a region. I found but few people at the Springs, and stayed there only a week. The exercise, however, was of very great advantage to me, and I am now as hearty as I ever was in my life.

I have also spent a good deal of the summer out at Mr. Huston's, or rather his mother-in-law's, plantation. By the by, I do not know as I have ever mentioned her to you. She is one of the finest old ladies in the world, and treats me with all the kindness of a mother. Tell mother, if I should ever happen to be sick, I should receive almost as much attention and kindness as I possibly could at home.

I am glad you take such pleasure in your studies, and in reading. You could read nothing more advantageous to you than history. It would be well also to read some biography—more especially, the lives of the great men of our own country—Washington, Franklin, &c. It will raise your ambition, and show you what can be done through industry and exertion, by those whose advantages have not been as good as your own.

I approve of your studying the languages, and fitting yourself for college. I hope that by the time you are fitted, I shall be able to assist you; if I am, I shall certainly do it with pleasure.

Tell William, that if he comes to New Orleans, as he proposes, I will probably come down and see him next winter.

My best love to mother, and to all of you, especially to Samuel, whom I wish to write me immediately.

Your affectionate brother,

S. S. PRENTISS.

TO HIS MOTHER.

NATCHEZ, *Nov.* 10, 1830.

DEAR MOTHER:—

I intended my next letter for Samuel; but Abby informs me, that he expected to sail for Europe in two or three weeks, so that he is probably gone by this time. I can truly sympathize with your feelings upon parting again with William, and I can assure you, that your regret at the absence of your children cannot be greater than what is felt by one of them, at least, on being so far separated from you and the rest of his friends. Indeed, so far from becoming reconciled to a residence in the South, or forgetful of my native land, I become every day more tired of the former, and look back with more regret to the latter. Still I feel bound to stay here, though I am sometimes almost sorry that my prospects of success render it my duty to do so—and I do not think I should have at all regretted it, had my ill-fortune compelled me to return to Maine. I expect daily to hear from William, as he must, by this time, have arrived in New Orleans. I shall take some leisure week during the winter, and go down and visit him. It is only a couple of days' trip. I have enjoyed excellent health this summer, much better than I did last. Natchez has also been free from epidemic this season, and extremely healthy.

I have, for the last two or three weeks, been riding about the circuit, which must be my apology for not writing sooner. Tell Abby, I thank her very kindly for her letter; she must soon write me again, so must Anna and George. I wish G. to write me a full account of his studies—how far he has advanced, and what occupies him at present.

Give my respects to all my friends, especially to Mr. Pierce and family. My love to yourself and the children. I shall expect a letter from you soon.

Your affectionate son,

S. S. Prentiss.

TO HIS YOUNGEST BROTHER.

Natchez, *July* 25, 1831.

Dear Brother:—

I received your letter of May last more than a month since, but, as I was indebted to Abby for a letter, I wrote her first, and will now proceed to answer yours.

I have nothing new to tell you concerning myself. My health continues good. Business is at present very dull—as, indeed, it always is at this season of the year. If I was within a hundred, or two hundred miles of home, I should soon mount my horse, and be with you.

You ask me about the slaves in this country—how they are treated, &c. That slavery is a great evil, there can be no doubt—and it is an unfortunate circumstance that it was ever introduced into this, or any other country. At present, however, it is a necessary evil, and I do not think admits of a remedy. But the situation of slaves—at least in this State—is not half as bad as it is represented, and believed to be, in the North. They are in general, as far as my observation extends, well clothed, well fed, and kindly treated—and, I suspect, fully as happy as their masters. Indeed, I have no question, that their situation is much preferable to that of the free negroes, who infest the Northern cities. To be sure, there are, occasionally, men who treat their slaves cruelly and inhumanly—but they are not countenanced by society, and their conduct is as much reprobated as it would be anywhere else. To free the slaves, and let them continue in the United States, would not, in my opinion, be any advantage to them; though if they could be transported to Africa again, it would be better. But that is impossible on account of their numbers—and even if they were all offered the

privilege of going to Africa, I do not believe half of them would accept it. The sin of the business lies at the doors of those who first introduced slavery into the country. The evil now is too deep-rooted to be eradicated.

As for the Indians, about whom you inquire, I think they have been badly treated in this State, and still worse in Georgia. Their lands have been taken from them without law or justice; and they will, most of them, have to go west of the Mississippi. However, this is not a new thing, but has taken place at one time and another in almost every State in the Union. The fact is, "*Might makes Right*," all the world over.

I did intend to write you something about your studies, but must defer it to another time. My love to you all.

Your affectionate brother,

S. S. PRENTISS.

The rest of his correspondence, in 1831, contains little that would interest the reader, though overflowing with expressions of filial and fraternal affection. The education of his sisters and his youngest brother, began now more and more to occupy his thoughts, and serve as a stimulus to his exertions. Almost every letter shows his solicitude upon the subject. On the question of his ultimate place of settlement, his mind still wavered; sometimes he "felt very home-sick, more so than he did the first year after leaving Maine, and was tempted to throw up his business, and come back there to live;" then, in the event of remaining South, he was almost determined to remove to New Orleans; but, towards the close of 1831, he finally resolved to establish himself at Vicksburg.

CHAPTER V.

Essay on Toasting—Removes to Vicksburg—Mr. Chilton's Reminiscences of Him—Letters Home—Visits Washington City—Advice to a College Student—Forms a Partnership with Mr. Guion—Letters.

ÆT. 22—24. 1832—1833.

WHILE at Natchez he continued to cultivate, with much diligence, his literary taste. He read almost every new book that appeared; and occasionally occupied a leisure hour by writing articles, in prose or verse, for the local journals. Some of his poetical effusions, particularly one entitled *The Ice Palace*, yet live in the recollection of his friends in the Southwest; but we have not been so fortunate as to procure any of them. The only specimen of his prose that has fallen in our way, is a sportive essay on Toasting, from which the following passages are extracted:

Perhaps the most remarkable property of Toasting, is its wonderful facility in making *great men*. It was the ancient opinion—though one which has been long exploded—that to be great, a man must have performed some great, virtuous, or noble action, must have shown, either mentally or physically, some superiority over his fellow-beings. Now, thank heaven, nothing of this sort is required; for the whole secret of greatness is comprised in the single word *notoriety*; and the most approved method of becoming notorious is by Toasting. Does a man wish to become notorious—that is, great:—he gets a friend to propose his health at some public dinner, with an enumeration of all the good qualities he does not possess. The people, filled almost to burst-

ing with the fat things prepared for them, overflowing with charity and good liquor, drink the health with great applause; which is elicited, however, in most cases, not by the person, but by the flavor of the wine. Fired by such manifest signs of popular favor, the candidate for greatness rises, and assures them, very truly, that they are pleased to honor him more than he deserves; that modesty would induce him to be silent, but his heart (he had better say his stomach) is too full for restraint; that no sacrifice would be too great for their kindness towards him; that he would go even to Congress, for the love he bears his country; he assures them that the United States is the greatest nation on the globe—his own State the first in the Union—the county in which they are eating the best in the State—at the same time modestly insinuating that he is himself the greatest man in the county—and, finally, winds up by proposing himself a candidate for the next election. The people are astonished to find they have had so great a man amongst them, without ever dreaming of it; and they send him to Congress forthwith. Thus sure and easy is the Toasting path to greatness.

The god Momus found fault with Jupiter for not placing a window in the heart of man; which would have enabled one, merely by looking in at it, to have ascertained a person's character as well at first sight, as after a dozen years' acquaintance. Mankind have sanctioned the criticism of the heathen deity; as is manifested by the great pains they are continually taking for finding out the real sentiments of their fellow-beings. It is to their anxiety on this subject, that we owe the various theories which have, from time to time, been broached for discovering a man's character by outward signs or appearances. Thus Lavater considered the features, and the various and complex lines upon the countenance, as the true handwriting of Nature, which she hath affixed as a label upon the face—precisely as an apothecary marks upon a vial the nature of its contents. Within a few years, Craniology has been made to answer the purpose of the window of Momus; and the human head, like the United States, is divided off into a number of independent bumps, which have, however, a reciprocal influence

upon each other. The character of each of these bumps is as well ascertained, as that of the people of any of the aforesaid States, and the character of the individual is made up by a compound of them all—each bump being taxed for this purpose just in proportion to its bigness. Now, although it is a digression, I cannot help observing, what a wonderful argument this system affords in favor of a republican form of government, showing that Nature herself has chosen it as the best, in her arrangment of the human mind. Take an example: Suppose that, like honest Jack Falstaff, my bump of discretion exceeds my bump of valor, and that some one insults me; the community of courage, residing in the bump of valor, is immediately enraged, and rises in arms to punish the aggressor: but, "Stop," cry the cautious, though more numerous, citizens of the commonwealth of discretion, "Most haughty Valor, we don't choose to be dragged into this contest—if you wish to fight, you must fight it out alone: for ourselves, we have advised with counsel, and intend taking the law of the fellow." At this remonstrance, the community of courage lay down their arms, like good citizens, obedient to the will of the majority. But to return. Though I have great belief in physiognomy, and though I doubt not that the rapid development of intellect may force out corresponding protuberances of the cranium, just as we see mountains arise on the face of the globe by the operation of internal fire: yet both these theories are so liable to error, the exceptions to the general rule are so numerous, that I have been led to try some other method of getting out a man's true character. I have found nothing answer this purpose as well as his toasts. At such times caution is entirely off its guard; the Cerberus reason is quieted with a sop. The sentiments, finding themselves unwatched, fly out as surely as birds from an opened cage. It is under the jovial influence of good liquor, that the words of scripture are peculiarly verified: *out of the abundance of the heart the mouth speaketh.* Take a few examples, by way of illustration of my theory: "The star-spangled banner, oh, long may it wave," &c. Now, who doubts for a moment that the author of this is a young poet? I don't know him, but I'll lay anything he has made at least one line towards the comple-

tion of an epic. "The ship United States, with her present commander and crew; all ready for *sale* (sail)," by a political punster; one of those inveterate perpetrators who, even if he was going to the gallows, would ask why hangmen are like physicians, merely that he might answer, because they both kill their subjects by *drops*. "The Island of Cuba—justice to ourselves requires that we should take immediate possession thereof." Now I will venture to say, that this man has no character at all; but I perceive from his toast that he is an old smoker, and he wishes us to appropriate Cuba to ourselves, because he thinks it would lessen the price of Spanish cigars.

His four years in Natchez and its vicinity, laid the foundation for some of the strongest friendships of his life. No portion of the Southwest contained at this time a social circle of greater intelligence, or refinement. There was, to be sure, not a little of the ignorant, pretentious, aristocracy of mere wealth; and this was to him a never-failing subject of ridicule. But there was also the aristocracy of cultivated minds and manners; the offspring of leisure, travel, and liberal pursuits. One might go far before finding a more generous, hospitable, and high-toned breeding than that which distinguished not a few of the families, then resident in and about Natchez. He often revisited this lovely spot, his first home in the Southwest, and never without being greeted by the warm affections and admiration of a host of old friends

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TO HIS MOTHER.

NATCHEZ, *January* 6, 1832.

MY DEAR MOTHER:—

You will be surprised to hear that I intend to leave this place. I shall remove to Vicksburg, the last of this month. Vicksburg is about a hundred miles above this, on the Mississippi River. It is a flourishing town, nearly as large as Natchez, and much superior for business. Natchez has

been declining in business for many years, although I have done as well as I could have expected; yet I do not think the prospect here sufficiently flattering, to induce me to make it any longer my place of residence. Vicksburg is situated in the midst of a rich and flourishing country, and is increasing rapidly in wealth and population.

I have deliberated a long time on this matter, but did not wish to mention it in my letters, till I had fully made up my mind. I have had serious thoughts of returning to Maine, but the competition there, in my profession, is so great, and the prospect of success so small, that I am deterred—at least for the present—from leaving Mississippi.

My present movement shall not, if I can help it, prevent my coming home next summer. Still I wish you not to be too sanguine.

We have, for the last two, or three weeks, experienced some of the coldest weather ever known in this country. I think I suffered as much as I ever did in the North. The ground was covered with snow for a fortnight, and it looked quite like old times.

Your affectionate son,

S. S. Prentiss.

The following reminiscences are from the pen of John M. Chilton, Esq. of New Orleans, long a distinguished member of the Vicksburg Bar :—

"In the year 1831, pending a Circuit Court at Vicksburg, then almost a frontier town, there arrived with other members of the bar, from Natchez, a limping youth in plain garb, but in whose bearing there was a manly, indeed, almost a haughty mien; in whose cheek a rich glow, telling the influence of more Northern climes, in whose eye a keen but meditative expression, and in whose voice and conversation a vivacity and originality that attracted every one, and drew around him, wherever he appeared, a knot of listeners, whose curiosity invariably yielded, in a few moments, to admiration and delight. There was then a buzz of inquiry, succeeded by a pleased look of friendly

recognition, and a closer approach, and in most instances an introduction, to the object of this general attraction so soon as it was told, that the stranger was S. S. PRENTISS, of Natchez. His fame had preceded him, and men were surprised to see only beardless youth in one whose speeches and learning, and wit, and fine social qualities, had already rendered him at Natchez, '*the observed of all observers.*' He was at once taken by the hand, and attracted by the brilliant rewards then promised in our courts to lawyers of genius and eloquence, he determined on adopting Vicksburg as his home.

His first appearance at the Bar, at once fixed public opinion in his favor. The case was one involving the power of the corporation to cut off by quarantine, a public hotel from all intercourse with the rest of the town. The hotel stood alone on a square, and was infested with the small pox. The Mayor and Council had passed an ordinance forbidding all persons out of it from going to it, and all persons in it, from coming out of it. Without any previous notice or preparation, except the examination of testimony, MR. PRENTISS spoke for two hours, and by an argument replete with metaphor, satire, and logic, he gained his cause and induced an immediate repeal of the obnoxious ordinance.

Some time after this, at a political meeting, he was called on by the Anti-Jackson men, then a sad minority—in presence of a large number of the dominant party, to address the people. Democracy was then everywhere prevalent, and the word of General Jackson considered as binding as the Koran—his will a rule of action—his name too sacred to be uttered without a blessing. Mr. P. boldly "broke ground" against Martin Van Buren, the adviser of General Jackson, and subsequently his nominee for the Presidency. I shall never forget the intense excitement produced by his speech on this occasion. It was to the Anti-Jackson men as inspiriting and effective as General Taylor's order at Buena Vista—"*a little more grape, Captain Bragg!*" He described General Jackson's influence over the multitude—his nomination of Martin Van Buren, whom he represented as

> "Albany, with feeble hand" receiving,
> "Borrowed truncheon of command;"

and the violation of our Constitution in thus virtually transferring the appointing and elective power from the people to one man, and that man at once their idol and despot. He then prophetically depicted the effects of such unbounded executive influence in the after prostration of the coördinate departments of the Government. The personal difficulty between General Jackson and Mr. Calhoun, growing out of the refusal of the latter to associate with the family of the Secretary of War, had just occurred. The first Cabinet had been dispersed to yield to a 'unit.' That unit was Martin Van Buren! In allusion to Mr. Van Buren's *survivor-ship*, (if I may so call it,) Mr. P, exclaimed: "While the stately and gallant vessels, which braved the battle and the storm, have been wholly wrecked, the cockle-boat of Martin Van Buren has risen, cork-like, securely above the waves, and floated safely into the port of Democratic favor."

In allusion to the merit then claimed for Mr. Van Buren, of having settled, while minister to England, the question of Great Britain's right of search, he exclaimed: "I thought this question had been settled years ago, by the war of 1812, and that even the American sailor boy, seated at the mast-head, if asked by a Briton whether such right existed, would point to the cannon's mouth, and say indignantly—'Go, take your answer thence!' The manner of this exclamation gave to it a marvelous force, and even his political adversaries forgot, in the nationality of the sentiment, the bitterness of partisans, and united in the acclamations of applause, which it produced."

S. S. PRENTISS TO HIS MOTHER.

VICKSBURGH, *March* 16, 1832.

MY DEAR MOTHER:—

I'll lay anything you can't guess who has been to see me since I wrote you last. I was sitting in my office the other morning, and who should pop in but S. I knew him immediately—though he was in his sailor's dress, and has grown greatly since I saw him. He looks well, and is in good health and spirits too, considering he had, when he arrived here,

but one dollar in the world. He does not seem to mind it at all, and says it is not the first time he has been without both clothes and money. It was well, however, he found me at home; for this is a bad country for a man to be in without money. Fortunately I had some, which I divided with him; and after staying with me three days, he started again, last night, for New Orleans. He appears to be rather sick of a sailor's life, and will, I think, quit it.

I am very glad to hear that Abby has recovered her health, so that she can attend school again. Tell her that when she gets to Portland, she must become a regular correspondent of mine, and write me all that is going on in the city; and Anna can take up the home-department, and tell me what occurs of great importance in the busy little village of Gorham. I pledge myself to answer all their letters regularly.

I have got some business already, and think it will increase. It is easy to make money in this country; but the expenses are so enormous, they eat up one's money as fast as it accumulates.

If George is well prepared to enter the Sophomore Class this fall, let him do so; I think it a great disadvantage to enter two years in advance. He is, however, young, and unless well prepared—not only in his Greek and Latin, but in his English studies—had better put it off another year. I am confident I entered college too young; had I been two years older, I should have derived double the advantage. Tell G. to write me fully his own views and wishes on the subject. I wish he would take two or three dollars out of the enclosed, and send me one of the Portland papers, say the *Advertiser*, or any *Clay* paper. My love to you all.

Your affectionate son,

S. S. PRENTISS.

TO HIS SISTER ABBY.

VICKSBURG, *September* 17, 1832.

MY DEAR SISTER:—

I almost envied brother William the happiness which he must have felt in being again in the midst of you. It

is impossible for you to imagine the feelings which a long residence among strangers—people for whom you care nothing, and who care nothing for you—produces in one's mind towards home and the scenes of youth. Frequently I sit down in my office, after a fatiguing day's work, or a fit of the "blues," and get rid of the whole of them by paying a visit to you all at Gorham. It is the easiest thing in the world—it does not take me more than a second to go from Vicksburg there. After I get there, I seat myself among you, and look around to see what changes five years have produced in you all. I see mother sitting beside me, with, perhaps, a few more of the marks of age than when I left, but in other respects the same—with the same gentle and kind look which she always turned towards me, even when reproving me for some idle scrape, or foolish act. There, too, I see sister Abby, shot up from a fair-haired little girl, to a tall, handsome, demure-looking, young lady—and thinking, for aught I know to the contrary, which of half-a-dozen beaux she likes best. And who is this laughing, romping, bright-eyed girl, who looks so full of fun and mischief? I think, as near as I recollect, it must be sister A. Brother G. I recognize in a minute—for he has got his books, and is studying as soberly as a deacon. Have you heard yet from S.? I have not, and cannot conceive what has become of him. I suppose you are at Portland yet. Write me often, and tell me what studies you are pursuing; are you taking lessons in music and painting?

My love and kindest wishes to you all.

Your affectionate brother,

S. S. Prentiss.

TO THE SAME.

Vicksburg, *November* 11, 1832.

Dear Abby:—

I was gratified, a day or two since, in receiving a letter from you. I have just heard, too, from George, and perceive that he is pleased with college. He is to room, it seems,

with Reuben Nason; that will do very well. By the by, when you see Mr. Nason remember me to him, with my best respects. Tell him I have not forgotten, nor ever shall, my old preceptor —under whose instructions I acquired a great portion of the information which I possess; and which, slight as it is, I would not exchange for a fortune. He always treated me kindly, and I never shall forget it.

I am gratified, my dear sister, that you have the inclination and the opportunity to improve your mind, to acquire those accomplishments, which will not only greatly increase your own means of enjoyment, but what is equally valuable, enable you to add much to the happiness of those with whom you may associate in after-life. There is nothing which would afford me more pleasure, or of which I should feel *prouder*, than to see my sisters accomplished and well educated: not merely accomplished in appearance, and in a few superficial acquirements, but with well cultivated intellects—capable of conversing upon, and understanding, the ordinary occurrences of the world, and conversant--to some extent, at least—with the history of the planet upon which they live. I have known *very accomplished* young ladies, who did not know whether the earth was flat or round—whether the government under which they lived, was monarchical or republican. Such, however, I have no fear of finding my sister Abby.

Since I wrote last, we have had the cholera in Vicksburg. I did not leave town, nor have I had any reason to regret it. My health has been, and still continues good. It broke out very suddenly and very violently; most of the people fled—but I thought it about as safe to remain in town, where I could get medical assistance immediately, in case I was taken. There is not danger if medical aid is obtained in time—but half-an-hour's delay may be fatal. It is a terrible disease. I saw persons walking about the streets perfectly well, that were corpses in two or three hours afterwards. Only two or three respectable citizens died—most of the deaths being among the negroes and transient persons. It is raging awfully in New Orleans. They are dying at the rate of three hundred a-day. Here it is all

over now; so mother need not be uneasy. My love to you all. Write soon.

Your affectionate brother,

SEARGENT.

TO HIS BROTHER WILLIAM, AT NEW YORK.

VICKSBURG, *November* 18, 1832.

DEAR BROTHER:—

Since I wrote you last we have had a pretty severe touch of the cholera in this place, but it has now left us entirely. There has been no new case for a week or more. It prevailed here about ten days, more severely than at any other place of the same size I have heard from. Most of the inhabitants, however, were panic-struck, and fled to the country. There were not more than two or three hundred left. There were about seventy cases, and about twenty-five or thirty deaths, besides a large number of deaths from steamboats. I did not leave town during its prevalence. I thought it was about as safe to stay here. I did not care much about it any how. I had none of the symptoms of the disease, and was never in better health in my life.

We are on the tip-toe to hear the result of the Presidential election—but I fear there is no chance of defeating Old Hickory. Louisiana has gone for Jackson; Kentucky, however, has redeemed herself, and gone for Clay by a large majority.

We are now waiting, with the utmost anxiety, to hear from your great State of New York. Pennsylvania, I fear, has gone for Jackson.

I received your letter a few days since, and am extremely sorry, I assure you, to hear that you have suffered so much from the effects of the cholera on business. I trust by the next time you write, your prospects will be better. Business here is, also, very dull at present.

Washington Irving passed down the other day. He stopped here a few hours. I was much pleased with him.

Write me again soon, and believe me

Your affectionate brother,

S. S. PRENTISS.

TO HIS SISTER ABBY.

WASHINGTON CITY, *February* 3, 1833.

DEAR SISTER:—

I wrote to mother a few days since, informing her of my arrival in this place, and promising, before I left, to write to you. It is with pleasure that I redeem my promise. I expect to leave in a day or two, though it is somewhat uncertain, inasmuch as I have not yet finally arranged the business on which I came. That business, as I mentioned in mother's letter, relates to some land-claims. I shall get away this week certainly—for I am heartily tired of the place, and extremely anxious to return to Mississippi. It was a sacrifice to me to leave my business there, but I thought it would also be of great advantage to spend a few weeks at the Federal City, and become acquainted with the principal men from the different quarters of the Union.

And now, I suppose, you will wish to know how I am pleased with the Metropolis of the United States, and the people and things that are therein. On the whole, I have been extremely disappointed. Washington City is not half so handsome or pleasant a place as Portland. The houses are very ordinary, and scattered over so large an extent of ground, that it gives the city quite a desolate appearance—as if there had been a great many fires in it. I was not, however, disappointed in the Capitol. It is a most magnificent edifice, and is the only building I have ever seen, which answers fully to the descriptions of palaces that we read of in novels and story-books.

The President's House—or, as it is generally called, the White House—is also a fine looking building; but is by no means so splendidly furnished as I expected. I had read so much about it in the papers, that I thought I should see an oriental palace—but on the contrary, most of the rooms are so plainly furnished as to appear rather desolate and gloomy.

I visited the White House in company with one of the Senators from Mississippi; and was introduced by him to the President, with whom we chatted about fifteen minutes. General Jackson is an old looking man, and answers very well

to the prints you see of him in the shops. I think him about as fit to be President of the United States as I am. But I ought not to talk so—for, for aught I know to the contrary, you and A. may, both of you, be "*Jackson men*," and then I have got myself into a pretty scrape!

I have seen nearly all the great men of the nation, and have become acquainted with some of them. Hereafter I shall have a much less opinion of great men. They are by no means so much superior to the rest of mankind, as they are apt to imagine. You have no idea how destitute of talent more than one-half the Members of Congress are; nine out of ten of your ordinary acquaintance are fully equal to them. There are, however, some truly great men here—among the foremost of whom are Webster, Clay, and Calhoun; I consider these the three most talented men in the nation.

I am glad to hear that W. will be married in the spring; I think it will increase his happiness. If he marries Angelina H——, he will marry an excellent girl, and I know of no one whom I should be more pleased with as a sister-in-law. She is an old friend of mine; you must remember me to her with my best respects. My love to you all.

Your affectionate brother,

SEARGENT.

TO HIS MOTHER.

VICKSBURG, *March* 30, 1833.

MY DEAR MOTHER:

More than the usual delay has occurred since I wrote last; but, in fact, I have just got home—having been detained more than twice as long as I expected. I did not leave Washington City till the first of March, although I was in daily expectation of leaving for three or four weeks before that time.

I believe I told you my business there. I was employed to argue a case in the Supreme Court, and for more than three weeks I attended the Court every day, expecting to get it tried.

I succeeded at last; and had the honor of addressing their Honors the Judges of the Supreme Court of the United States. I made a speech three or four hours long; and I suppose you will say, I have acquired a great deal of brass since I left home, when I tell you I was not at all abashed or alarmed in addressing so grave a set of men.*

Had I had any idea of being detained so long, you would have seen me at home; but I did not dare to leave Washington for fear the case would come on in my absence. I ought to have got back here more than a month ago, and the consequence is that my business has suffered materially. Having been very careless in the collection of my fees, I have lost a good deal the past winter by the *failure* of several individuals, who owed me considerable sums of money. I fear, therefore, I shall be compelled to disappoint you—but still more, myself—of my expected trip home this summer. I could sit down and cry about it, like a child, if it would do any good.

April 17.

I have just returned from attending court about forty miles in the interior, and have to start to-morrow to attend another still further distant. We have no stages here, and I go to all these courts on horseback. I think nothing of riding fifty miles a day. I ride a great deal, and have no doubt it has contributed much to my health, while use has made it a very pleasant exercise.

I hope you will not think hard of my having again disappointed you in the visit, which we all anticipated with so much pleasure. Indeed you must not; for that would double my regret, which is great enough already. It is not any want of affection for you all, but the desire I feel to assist my brothers and sisters, that has induced me to forego, for another year, the delight of coming home. And I well recollect that one of the

* "When young in years and young as a lawyer, he appeared before the Supreme Court of the United States, and his pleadings, in spite of his youthful fire and highly-wrought fancy, were so happily fortified by deep reading and deep thought, as to instantly attract the notice of Chief Justice Marshall, and call forth from that master-mind involuntary praise."—*T. B. Thorpe's Reminiscences*, Whig Review, 1851.

last injunctions of my dear father, just before his death, was that I should assist the children; and he seemed to have a confidence that I should, one day, be able to do so. My love to you all, and don't forget to write often.

Your affectionate son,

SEARGENT.

TO HIS BROTHER WILLIAM.

VICKSBURG, *April* 30, 1833.

DEAR WILLIAM:—

I have just returned from attending the Circuit. I have been gone ever since I wrote you last, and have had a pretty rough time of it. I have been east of Pearl River. I travel entirely on horseback, and have had to swim on my horse, over creeks and bayous that would astonish your northern people, whose roads are all turnpiked. Beyond Pearl River, I had to ride, and repeatedly to swim, through a swamp four miles in extent, in which the water was all the time up to the horse's belly. What do you think of that for a lawyer's life? It would kill your New York cockneys in a week. To these hard rides I attribute, as much as to any other cause, the excellent health which I have always enjoyed.

The cholera has appeared again in New Orleans, and all along the Mississippi. The boats are full of it, and we have had several cases here. I feel, however, no apprehension on the subject. I hope you will not have it again in New York, as it bore so hardly on you last year.

Mr. Huston will be in New York by the time this letter reaches there. He passed up the river the other day; I intended to have written you by him, but did not see him when he passed here. I wish you would find him out, and he can tell you all about me.

Your affectionate brother,

SEARGENT.

TO THE SAME.

VICKSBURG, *June* 24, 1833.

DEAR BROTHER:—

I have just returned from spending several weeks at Natchez, and much to my gratification found a letter from you awaiting me in the post-office. The cholera has been raging here to a horrible extent. Every place on the river has suffered more or less, and not only on the river but for many miles in the interior, the disease has prevailed so as wholly to depopulate many plantations; scarcely one has escaped without some loss. In fact, the ravages of this terrible epidemic have been much more extensive than they were last year, and God knows when or where they will stop. I see the disease is travelling north, and is already desolating the interior of Kentucky and Tennessee, and before long, you must, have it again at the East.—I would advise you by all means, to regulate your business under the supposition that you will have it among you this summer.

I have reason to congratulate myself upon my escape so far without even the slightest premonitory symptoms. I was never in better health.

I am glad you opened your mind to me so freely on the subject of your marriage. I agree perfectly with you; I believe there is no situation in which marriage is not an advantage to a man, even in a pecuniary point of view, without mentioning the incalculable increase of *happiness* which must result from a well-assorted match. My candid and reasonable advice is, *marry*, and you may rest assured that such a union as you will form, can never impede your success, or advancement in the world. I am sorry to hear of Captain H.'s death. Remember me to A——, when you see her.

At present business has entirely ceased with us here. Goods are rotting on the merchants' shelves for want of buyers. Books sometimes sell here in the winter, but would not sell at all at any other season. Law Books sell very high in this country, but they must be the latest editions.

I am alarmed about S., since the cholera has appeared on the river. Take care of yourself, if it comes among you.

Your affectionate brother,

SERGENT.

TO HIS YOUNGEST BROTHER.

VICKSBURG, *August* 9, 1833.

DEAR GEORGE:—

I am gratified to find you are pleased with College, and properly appreciate its advantages. Let me particularly recommend to you to cultivate, as much as possible, your powers of elocution, for which the society you belong to, will afford ample opportunity. By this, I mean the faculty of debating; of expressing your own ideas in the best and most effective manner.

This attainment is to every man of the utmost importance. It is no less than the power of *using* his other attainments, for of what advantage is information, unless one is able to convey it and show the world that one possesses it? Indeed, my observation of mankind has convinced me, that success in life depends not so much upon the actual *quantity* of knowledge, which a man possesses, as upon the skill and facility with which he is enabled to bring it to bear upon the affairs in which he may be engaged. This is particularly true with regard to great men. Their greatness consists less in the extent of their knowledge than in the way in which they use it. There are hundreds, perhaps thousands, of men in the United States, who exceed Henry Clay, in information on all subjects; but his superiority consists in the power and adroitness with which he brings his information to bear. I would again press before any other acquisition, that of expressing forcibly and with ease any idea, which the mind may entertain. This faculty is attained with difficulty in after life, but with ease in youth, at College, and nowhere so well as in the Debating Societies of such Institutions.

TO HIS MOTHER.

VICKSBURG, *Aug.* 27, 1833.

MY DEAR MOTHER:—

Though I have nothing new to tell you, I believe it is about time to write you according to my usual custom. But were it not that you assure me to the contrary, I should expect you to have become heartily tired of the frequency and dullness of my letters.

I am glad you are reconciled to the di-appointment in regard to my visit this summer; for I assure you I have suffered as much regret on your account as on my own, and that is by no means small.

I start to-morrow to attend the Courts of several counties in the interior of the State. I go on horseback, and shall have a long but healthy ride of it before I get back. I suppose I shall have to ride altogether at least 250 miles, so you see a lawyer's life in this country is by no means a lazy one.

Since I wrote last, I have formed a partnership in the practice of my profession, with a gentleman of the name of Guion.* He is a good lawyer and a very excellent man. He has been for many years practising in this place. The partnership is a pleasant one, and I think will prove advantageous to me.

Your anxiety about S., cannot be greater than mine. Still, I cannot think anything has befallen him. If so, we must some of us have heard of it. An acquaintance of mine is just going from this place to St. Louis, and he has promised me that he will make a thorough inquiry about him; and if he has been at St. Louis at all, I think I cannot fail of getting information. If I cannot learn something shortly, I shall go up to St. Louis myself, for the purpose of ascertaining his fate. As I said before, I cannot believe any accident has befallen him, notwithstanding his long silence.

My own impression is, that he must have joined one of those trading or hunting companies, that are continually leaving St.

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* Hon. John I. Guion.

Louis, and are frequently absent two or three years at a time, in the Far West.

You ask me, my dear mother, my sentiments on the subject of religion. I hardly know what answer to make you. I cannot pretend to say that I have experienced any change on that subject since I left home. I trust the pious manner in which I was educated, and the excellent examples, which I had in my parents, of the value of religion, will induce me never to look upon it otherwise than with respect and reverence. In all its great principles, I also trust, I have implicit belief. I confess that with regard to what is called *conversion*, I never well understood it. So far as religion teaches us to do good, and to abstain from evil, I acknowledge its excellence, and hope I am not entirely without its influence; but the distinction of sects, and the necessity of belonging to any one of them, as well as a great many of the abstract articles of belief—considered essential by some denominations, by others not—are all beyond my comprehension. If I am wrong, it is from want of understanding and not from willfulness. Whatever may be my notions on this matter, however, I trust the time will never come, when I shall be forgotten in the prayers of my mother. My love to you all.

Your affectionate son,

SEARGENT.

TO HIS SISTER ANNA.

VICKSBURG, *Dec.* 22, 1833.

DEAR SISTER:—

In gratitude for your kind letter, of Nov. 18th, which I have just received, I shall make you my correspondent this time. Your letter both pained and gratified me. I was deeply alarmed, as you may well suppose, to hear that our dear mother had been suffering from so severe an illness; but my

joy was also very great to learn, at the same time, that all danger was over. I am very glad you did not write me till you could give me the good news with the bad; for I should have suffered more than I can express, at the idea of even a possibility of losing a parent, whom we all have such reason to love. If the very thought of such an event makes me tremble, what would the reality be?

And you too, my sweet sister, have been ill, but you must not be so any more. I shall take it very unkind of you, if you are—you know I have never been sick, nor caused you any alarm on that score.

However, your epistle is so sprightly and good-humored, that I cannot think the fine spirits which it exhibits can be accompanied by very bad health. If you are as sprightly and amusing in conversation as you are in letter-writing, I imagine there will be a noisy house, when we meet, and it will require all our sober and demure sister Abby's authority to keep us quiet. And then we shall have such delightful quarrels; indeed I have one with you now, and won't wait till I see you.

What! you think to put me off with some old maid, do you? Now I can tell you, that when I get to be rich (which I mean to be one of these days), and own a cotton plantation, and all that—the youngest and prettiest of your girls will jump at the chance of marrying—not your poor brother Seargent—but his fortune. You girls, are all very romantic when you *talk* about love and marriage; but when you came to *act* on the subject, you can have as sharp an eye for the "*main chance*" as any of us, mercenary men. There, now, I think I have thrown down the gauntlet, and I have no doubt you will take it up and belabor me well for what you will call my vile slander. But, dear me! I am writing a very simple letter, and haven't room enough left to redeem my character in—I must, therefore, to use a professional phrase, "throw myself upon the mercy of the Court," and if you punish me at all, do it by writing a letter equally simple. But good by. God bless you all.

Your affectionate brother,

SEARGENT.

CHAPTER VI.

The Southwest a Quarter of a Century ago—Hostile Meeting with Gen. Foote—Frequency of Duels in Mississippi at that time—Lord Bacon's Opinion of this "Desperate Evil," its Causes and Cure—Letters Home—Rapid Increase of Business—Recollections of him when riding the Circuit—A Night's Imprisonment—Eulogy on Lafayette.

ÆT. 24—26. 1833—1835.

THE Southwest, twenty-five or thirty years ago, was a country very different from what it now is. The emigrant character of a large part of the population, the adventurous spirit of the new-comers, most of whom were young men in quest of fortune, the absence of many of those restraining influences and domestic habits which mark an old established community, the sharp competitions of business and professional rivalries, almost wholly unchecked by previous acquaintance or familiar ties of friendship and kindred—these, with similar causes, naturally engendered a peculiar and anomalous state of society. Every man stood on the arena of life, alone and unpropped; his sole armor was his own native strength of will, courage and intellectual prowess. If he lacked either mental or physical nerve, the gate of fortune seemed barred against him. This was, no doubt, a severe school both for the trial and development of individual character; but it was a school which few could pass through, even successfully, without learning much of evil as well as of good.

The vices which usually infest such a condition of society,

were not wanting here; intemperance,* skepticism, profaneness, gambling, and fashionable dissipation—not to speak

* In reference to the drinking habits of society in Mississippi, at this time, a few passages may be cited to advantage, from a highly interesting article, communicated to the *Boston Medical Journal*, of 1853, by Dr. Cartwright, a veteran physician of the Southwest. Nothing could be more instructive, or impressive, than such statistics.

"The writer is one of three physicians, who located in Natchez thirty years ago. The new-comers found only *one* practitioner in the city belonging to the same temperance school with themselves. The country and villages, within fifteen miles around, afforded only *three* more. All the rest believed in the hygienic virtues of alcoholic drinks, and taught that doctrine by precept and example. Besides the practising physicians, there were ten others in the city and adjacent country, who had retired from the profession. They were all temperate. Thus, including the new-comers, the total number of temperance physicians, in and near Natchez, thirty years ago, consisted of seventeen. Of these, five have died: Dr. Henry Tooley, aged about seventy-five years; Dr. Andrew M'Creary, aged seventy; Dr. J. Kerr, sixty; Dr. Wm. Dunbar, sixty; Dr. James A. McPheeters, forty-nine. In 1823, the average ages of the seventeen was about thirty-four years. According to the Carlisle Tables of Mortality, and those of the Equitable Insurance Company of London, seven, instead of five, would have been the ratio of mortality in England. Those at present living are, Drs. D. Lattimore, W. Wren, Stephen Duncan, James Metcalf, W. N. Mercer, G. W. Grant, J. Sanderson, Benjamin F. Young, T. G. Elliott, —— Phœnix, Professor A. P. Merrill, and the writer.

"On the other hand, every physician of Natchez and its vicinity, thirty years ago, whether practising or retired, who was in the habit of *tippling*, as the practice of drinking alcoholic beverages is called, has long since been numbered with the dead! Only two of them, who were comparatively temperate, lived to be grey. Their average term of life did not exceed thirty-five years; and the average term of life of those who were in the habit of taking alcoholic drinks frequently between meals and in an empty stomach, did not reach thirty years. In less than ten years after they commenced practice, the most of them died, and the whole of them have subsequently fallen, leaving not one behind in city, country, or village, within twenty miles around.

"To fill the places of those who died or retired from the profession, sixty-two medical men settled in Natchez and its vicinity, between the years 1824 and 1835, embracing a period of ten years; not counting those of 1823, already mentioned. Of the sixty-two new-comers, thirty-seven were temperate, and twenty-five used alcoholic beverages between meals, though not often to the extent of producing intoxication. Of the thirty-seven who trusted to the hygienic virtues of Nature's beverage—plain, unadulterated water—nine have died, and twenty-eight are living. Of the twenty-five who trusted to the supposed hygienic virtues of ardent spirits, all are dead, except three! and they have removed to distant parts of the country. Peace be to their ashes! Though mostly noble fellows, misled by the deceitful syren, singing the praises of alcoholic drinks, to live too fast, and to be cut off in the outset of useful manhood, it is to be hoped they have not lived in vain; as by their sacrifice science has gained additional and important proof of the fallacy of the theory which attributes health-preserving properties, in a Southern climate, to alcoholic beverages in any shape or form."

now of duelling—were sadly prevalent. It would be a great volume, *written within and without with lamentation*, which should record all the melancholy and tragical ends to which young men of finest promise—the pride and hope of some of the best families in the country—were brought by reason of these enemies: and such a story, if faithfully and candidly told, would, perhaps, often call forth our pity and charity quite as strongly as our moral censure. In truth, the temptations which beset a young man of talents, wit and companionable temper, in Mississippi, twenty-five or thirty years ago—especially if he came from the North, and was unprotected by high religious principle—were like *a burning fiery furnace;* one can only marvel that anybody escaped. The free and habitual use of intoxicating drinks was at that time, to be sure, pretty general throughout the country; but gambling, and a profane disregard of the sabbath,* public worship, and other institutions of Christian society, were, unquestionably, much more common in the Southwest than among the same class at the North. It was rather a fashion, and the mark of high spirit for young men of education to be skeptical, and to shoot the keen—alas!

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* "When Mr. PRENTISS was a member of the legislature, a proposition was introduced to grant, on the part of the State, a lot of land at Jackson—the newly located seat of Government—to each denomination of Christians, for the erection thereon of a house of worship. The proposal encountered opposition; whereupon Mr. PRENTISS rose to speak on it—no one knowing which side he was going to take—and poured forth one of his most eloquent speeches in behalf of the law. He described the happy effect of the observance of the Christian Sabbath upon a community, and the vices which spring out of its violation; drawing, in the course of his remarks, a vivid picture of a New England youth, ingenuous, free from moral stain, straying from his native hills to the far South, and there, on some bright Sabbath morn—no church-going bell warning him of his danger—seduced by one grown grey in sin into a ruinous game of cards, when he should—and, perhaps, had there been a house of God near by—would have been very differently engaged.

"The law passed in due form; and now each of the denominations have a place wherein they can worship God according to the dictates of their own consciences." *Letter from W. C. S.*

too often poisoned—arrows of their wit at the sacred truths, records, and venerable observances of religion. The tone of much of the popular literature, the Byronic rage and misanthropy, the influence of a flippant and shallow Biblical criticism echoing from across the water; and, let the truth be told, the revulsion from not a little cant, morbid feeling, and narrow prejudice, which were mixed up with the genuine piety of the country; these all conspired to make many a young man talk and act like an infidel, whose education and real principles were far above such conduct. But there were others whose early associations, and whole training alike fitted them to be scoffers; young men of talent and liberal culture, perhaps, but who had never known a religious home, and whose conception of Christianity was derived, not from the NEW TESTAMENT, but from the writings of Thomas Paine, Mr. Jefferson, and the French infidels. It was a favorite custom with this class to deride what they called "conventionalism," in which they included, not merely the factitious rules and empty formalism of society, but much of its substantial morality; that morality which separates between virtue and vice, and stamps the latter with public dishonor.

It would be hardly possible to appreciate the following narrative without some knowledge of this darker phase—for it was but one of the phases—of the social life of Mississippi, a quarter of a century ago.

On the 5th of October, 1833, a duel occurred between Mr. Prentiss and Gen. Henry S. Foote, late Governor of Mississippi. They met at sunrise, on the Louisiana side of the river, opposite Vicksburg, and fought with pistols at ten steps. The former writes, a few days later—"I threw up my pistol as I fired, not intending to hit him at all, but so near had I been to killing him that my ball, even as I

threw up my pistol, hit him on the shoulder, slightly wounding him in the flesh."

His correspondence with his elder brother, describing its cause and circumstances, together with the reasons, which, in his view, justified his conduct, lies before me ; but no good end would be secured by its publication. Not long after, a second meeting took place, in which Gen. Foote was wounded. These were the only duels which he ever fought. In later years, he and Gen. Foote became warm personal friends. During his last visit North, allusion was made, in his presence, to certain unhandsome reports touching that gentleman—then Senator in Congress—and which grew out of the above duels. I shall not soon forget his mingled expression of mortification and regret, or the energy of tone, with which he affirmed their entire falsity.*

It is not to be supposed that he could so far depart from the principles in which he had been trained, as to fight a duel without some inward struggle and misgiving. He well knew that such an act would not only be regarded with severe disapprobation throughout New England, but would pierce with anguish the hearts of those, who were dearer to him than life. The latter consideration, in particular deeply affected him. After the first meeting with Gen. Foote, an old friend, R. T. Archer, Esq., of Port Gibson, congratulated him on his escape from the necessity of taking the life of a fellow-man. He instantly burst into tears, and alluding to his mother, replied with deep pathos, that no one could imagine his relief.†

But he was young, high-spirited, reckless of consequences,

* In a letter, dated "SENATE CHAMBER—*August* 21, 1850," Gen. Foote writes: "Your brother's lamented demise shocked my sensibilities, I assure you, most profoundly, and I believe that few of his surviving friends, numerous as I know them to be, have been more distressed than myself, at his unexpected decease."

† He expressed the utmost solicitude lest his mother should know of the affair, and it is a singular fact, that she never did until after his death. In a letter to his elder brother, dated October 16, 1833, he writes:—"For the last three or four weeks,

and duelling was, among men of the world, an established custom of the country. He had persuaded himself too, that not only his own reputation but that of New England was at stake; he fancied he was challenged because he was "a *Yankee*, and would not fight."

In answer to a letter from his youngest brother, strongly remonstrating with him respecting his conduct, he wrote:— "I am very sorry you heard at all of my foolish scrape. I regretted the occurrence as much as any one. I neither sought the difficulty nor sent the challenge, but having received it under the circumstances that existed, I could not have acted differently from what I did. If I had, I should have lost my own self-respect, and life itself would have had no further objects for me. I know that with your principles, no excuse will be sufficient in such a case. I am no advocate of duelling, and always shall from principle avoid such a thing, as much as possible; but when a man is placed in a situation where if he does not fight, life will be rendered valueless to him, both in his own eyes and those of the community, and existence will become a burden to him; then I say he will fight, and by so doing, will select the least of two evils. I know you will say that such a case as I have supposed, cannot occur; but, brother, I think you are mistaken, and such cases may occur, but not often. However, I trust I shall never again have occasion to act in such a matter. You may rest assured, that I shall never seek a quarrel, and shall always avoid one, so long as I can do so, and retain my self-respect."

The practice of duelling was, at this time, frightfully rife throughout the Southwest, particularly in Mississippi.

I have had some business on my hands, which has prevented my writing, and which I think it will puzzle you to guess. I will tell you, but you must not for the world let mother have the slightest hint about it. I have fought a duel."—He adds at the end of the letter: "Mother must on no account hear a word of this, for I know her religious feelings and principles are so opposed to what I have done, that it would cause her much uneasiness."

Human life had grown so cheap, that "it was set at the price of words, and every petty scorn and disgrace could have no other reparation ; nay, so many men's lives were taken away with impunity, that the very life of the Law was almost taken away under a reverend name of honor, and reputation." "It is a miserable effect," says Lord Bacon, from one of whose charges the above words are borrowed, "my lords, it is a miserable effect, when young men, full of towardness and hope, such as the poets call 'auroræ filii,' *sons of the morning*, in whom the expectation and comfort of their friends consisteth, shall be cast away and destroyed in such a vain manner ; but much more, it is to be deplored when so much noble and genteel blood should be spilt upon such follies, as, if it were adventured in the field, in service of the king and realm, were able to make the fortune of a day, and to change the fortune of a kingdom."

How many sweet homes, now desolate for ever—how many happy domestic circles, shattered past cure—how many sorrow-stricken hearts throughout the land, bear terrible witness to this "miserable effect!"

If a veracious narrative of all the duels, and street-fights, which have ever occurred in the single State of Mississippi, including an honest account of all their evil *consequences*, in the subsequent history of the survivors, as well as of the families and relatives of the parties, if such a narrative could be written and published, it would "a tale unfold," which no man, not utterly heart-hardened, could read without a shudder. It is because these bitter and remorseful consequences are mainly concealed from the general eye, or seen only in remote and indirect connection with their proper cause, that any civilized community does not rise up in wrath, and put the stamp of infamy and reprobation upon this murderous custom. That instead of this, it should be still winked at, if not countenanced, by

men of highest standing and respectability, throughout large sections of the Union, especially that it should be permitted to infuse its fatal taint into the veins of the rising society of the Pacific—is a matter worthy of profound lamentation. Civilization must have apostatized very far from the Christian, or even a refined ethical type, where this barbarous institution is tolerated.*

* In the above remarks, a paragraph is quoted from "The charge of Sir Francis Bacon, Knight, the King's Attorney-General, touching Duels."—*Bacon's Works*, vol. vi, p. 108. Montague's edition.

The reader may not be unwilling to see the opinion of the same great Jurist and Philosopher, in reference to the causes and cure of this "desperate evil."

"Touching the causes of it; the first motive, no doubt, is a false and erroneous imagination of honor and credit; and therefore the king, in his last proclamation, doth most aptly and excellently call them *bewitching duels*. For, if one judge of it truly, it is no better than a sorcery that enchanteth the spirits of young men, that bear great minds, with a false show, '*species falsa*:' and a kind of Satanical illusion and apparition of honor against religion, against law, against moral virtue, and against the precedents and examples of the best times, and valiantest nations; as I shall tell you, by and by, when I shall show you the law of England is not alone in this point.

"But then the seed of this mischief being such, it is nourished by vain discourses, and green and unripe conceits, which nevertheless have so prevailed, as though a man were staid and sober-minded, and a right believer touching the vanity and unlawfulness of these duels; yet the stream of vulgar opinion is such, as it imposeth a necessity upon men of value to conform themselves, or else there is no living or looking upon men's faces; so that we have not to do in this case, so much with particular persons, as with unsound and depraved opinions, like the dominations and spirits of the air which the Scripture speaketh of.

"Hereunto may be added, that men have almost lost the true notion and understanding of fortitude and valor. For fortitude distinguisheth of the grounds of quarrels, whether they be just; and not only so, but whether they be worthy; and setteth a better price upon men's lives than to bestow them idly; nay, it is weakness and disesteem of a man's self, to put a man's life upon such liedger performances; a man's life is not to be trifled away; it is to be offered up and sacrificed to honorable services, public merits, good causes, and noble adventures. It is in expense of blood as it is in expense of money; it is no liberality to make a profusion of money upon every occasion, nor no more it is fortitude to make an effusion of blood, except the cause be of worth, and thus much for the causes of this evil.

"For the remedies, I hope some great and noble person will put his hand to this plough, and I wish that my labors of this day, may be but forerunners to the work of a higher and better hand. But yet to deliver my opinion as may be proper for this time and place, there be four things that I have thought on, as the most effectual for the repressing of this depraved custom of particular combats.

"The first is, that there do appear and be declared a constant and settled resolu-

tion in the State, to abolish it. For this is a thing, my lords, must go down at once or not at all; for then every particular man will think himself acquitted in his reputation, when he sees that the State takes it to heart, as an insult against the king's power and authority, and thereupon hath absolutely resolved to master it; like unto that which was set down in express words in the edict of Charles IX, of France, touching duels, that the king himself took upon him the honor of all that took themselves grieved or interested for not having performed the combat. So must the State do in this business; and in my conscience there is none that is but of a reasonable sober disposition, be he never so valiant, except it be some furious person that is like a fire-work, but will be glad of it, when he shall see the law and rule of State disinterest him of a vain and unnecessary hazard.

"Secondly, care must be taken that this evil be no more cockered, nor the humor of it fed; wherein I humbly pray your Lordships that I may speak my mind freely, and yet be understood aright. The proceedings of the great and noble commissioners martial, I honor and reverence much, and of them I speak not in any sort; but I say, the compounding of quarrels, which is otherwise in use by private noblemen and gentlemen, it is so punctual, and hath such reference and respect unto the received conceits, what's before-hand and what's behind-hand, and I cannot tell what, as without all question, it doth in a fashion, countenance and authorize this practice of duels, as if it had in it somewhat of right.

"Thirdly, I must acknowledge that I learned out of the king's last proclamation, the most prudent and best applied remedy for this offence, if it shall please his majesty to use it, that the wit of man can devise. This offence, my lords, is grounded upon a false conception of honor, and therefore it would be punished in the same kind, *in eo quis rectissime plectitur, in quo peccat.* The fountain of honor is the king and his aspect, and the access to his person continueth honor in life, and to be banished from his presence, is one of the greatest eclipses of honor that can be; if his majesty shall be pleased that when this court shall censure any of these offences in persons of eminent quality, to add this out of his own power and discipline, that these persons shall be banished and excluded from his court, for certain years, and the courts of his queen and prince. I think there is no man that hath any good blood in him, will commit an act that shall cast him into that darkness, that he may not behold his sovereign's face.

"Lastly, and that which more properly concerneth this court; we see, my lords the root of this offence is stubborn, for it despiseth death, which is the utmost of punishments; and it were a just but a miserable severity, to execute the law without all remission or mercy, where the case proveth capital, and yet the late severity in France was more, where, by a kind of martial law, established by ordinance of the king and parliament, the party that had slain another was presently led to the gibbet, insomuch as gentlemen of great quality were hanged, their wounds bleeding, lest a natural death should prevent the example of justice. But, my lords, the course which we shall take, is of far greater lenity, and yet of no less efficacy; which is to punish, in this court, all the middle acts and proceedings which tend to the duel, which I will enumerate to you anon, and so to hew and vex the root in the branches, which, no doubt in the end will kill the root, and yet prevent the extremity of law."

The year 1834 found Mr. Prentiss in the full tide of professional success; his legal reputation was now firmly

established; the fame, too, of his eloquence, wit, and remarkable character, was noised abroad over the State. Wherever he went, he was quickly encircled by a crowd of curious and eager listeners. Business flowed in upon him from every quarter. In November, 1833, he writes to his mother: "Business is very flourishing with me now, and I think I have got so well established in my profession, that from henceforward I cannot fail to make money very fast. Indeed I do not know another lawyer in the State, whose business is, at present, better than my own." In February, 1834, he writes to his elder sister: "I am so pressed with business that I can hardly spare the five minutes, which I have absolutely stolen from my professional engagements, for the purpose of redeeming my promise of writing you once a month—a promise which it always affords me gratification to perform, and which, I believe, I have not yet violated."

The following letters will show the character of much of his practice and the undiminished strength of his home affections.

TO HIS MOTHER.

VICKSBURG, *March* 23, 1834.

MY DEAR MOTHER:—

I again sit down, as I have so often done before, to communicate with those whom neither time nor distance has rendered less dear to me. On the contrary, if such a thing were possible, long absence has rendered my affection for home, and those whom it contains, even stronger than it was when I first left you.

When I wrote last I believe I told you that I should probably start for home in June; but I shall be disappointed. I have some business placed in my hands, by which I feel almost certain of making three or four thousand dollars and perhaps more. But I am required, for the purpose of attending to it, to remain

here till the middle or, perhaps, the latter part of summer. The business is this:—Some gentlemen of this place have a claim to a portion of this town, and the property to which they lay claim is of very great value. They have employed me to investigate the case, and I have not the slightest doubt of their success. Much, therefore, as I wish to be with you, my duty and my very love for you all, will not permit me to throw away a speculation which bids fair to be so profitable.

My business generally is very flourishing, and continually increasing. I have nothing new to tell you. The times here are very bad. The mad course of the President has caused more ruin in the country than was ever known before. Money, at present, seems to have taken to itself wings, and unless there is some change shortly, two-thirds of the people of this country will fail. I am very sorry to see it, though it will make plenty of work for the lawyers. My love to you all.

Your affectionate son,

S. S. Prentiss.

TO THE SAME.

Vicksburg, *May* 22, 1834.

My Dear Mother:—

I am in debt two letters—one to Abby and one to Anna—but I know I am dealing with kind creditors, and considering I have been heretofore so punctual, I think I may risk throwing myself upon their mercy for this time. The fact is, I have for the last three or four weeks been so laboriously employed in business that, though I cannot say I have not had time to write, yet my mind has not been in a situation to commune with home and my friends; and I hate to write when I have not time to sit down and enjoy the luxury of thinking about you all as long as I please.

For the last week, among other important business, I have been defending a man charged with murder; and after a long and laborious trial, succeeded in acquitting him. To-morrow I have to start to a court eighty miles in the interior, for the pur-

pose of defending a man in another case of murder. I just received the letter requesting me to come and defend him; and as I shall be gone at least a week, I have sat down to write (though it is now twelve o'clock at night), lest you should think I had begun to forget you. I have been employed, in the last six months, in a good many cases where men were tried for their lives, and so far have been always successful. This has given me some little reputation in such matters; and now there is hardly a murder or anything of the kind takes place about here (and they occur very often), but I am employed on one side or the other.

I regret to hear from Anna's letter, that G.'s health is bad. I think he has acted very wisely in quitting his studies for a while, and trying the effects of a trip at sea; I trust it will have the desired effect. G.'s constitution used to be good, and I cannot suppose that his illness will amount to anything more than a temporary indisposition.

Tell the girls I thank them very much for their kind letters; and trust they will continue to write often. I have not heard from W. for some time. Not a word from S.; where can he be? My kindest and best love love to you all,

Your affectionate son,

S. S. PRENTISS.

TO HIS SISTER ABBY.

VICKSBURG, *July* 4, 1834.

DEAR SISTER ABBY:—

I have just received your letter, and think I cannot spend a part of the Fourth of July better than in answering it. I regret very much the misfortune which has befallen our poor little M—— in the loss of one of her eyes, which you mention in your letter. It seems as if the poor girl was born for misfortune. This additional one will only render it the more incumbent upon us all to be kind to her. I have been in excellent health since I wrote last, and apprehend no danger from sickness this summer. We have had no cholera yet at Vicksburg, and I

trust shall escape it for this season. It prevailed a little upon the river, on the steamboats, but at present, I believe, has pretty much ceased. I told you, in one of my former letters, that I should be detained here till August, on some important business in which I had become engaged. I fear that it will detain me even later than that, and should it do so, it is not impossible that I may again suffer the cruel disappointment of being compelled to defer my visit home. The business I allude to, is of too much importance to admit of any neglect. I believe I explained the nature of it in one of my former letters. I have no doubt I shall make by it three or four thousand dollars. I still hope I may so arrange the business, that I can leave the first of August; but should I be detained beyond that time, I shall be compelled to postpone my visit till the ensuing spring. There has not, since I left home, been a summer so important to my interests as the present; and the very love and affection which I bear you all, may compel me to forego the pleasure of seeing you this summer, for the more important pleasure of making myself able to render you some assistance. I know it will be a severe disappointment to you all, and especially to mother, should I again fail in my promised visit. But if I disappoint you once more, you must do me the justice to believe it will be as painful to me as it can possibly be to you, and that nothing but absolute necessity shall prevent me from coming.

Pray do not forget to write often; and with my best love to you all, believe me,

Your affectionate brother,

SEARGENT.

TO HIS MOTHER AND SISTERS.

VICKSBURG, *August* 23, 1834.

MY DEAR MOTHER AND SISTERS:—

I suppose, upon seeing a letter dated as late as this, at Vicksburg, it will be almost unnecessary for me to say that I shall not embrace my dear mother and my pretty sisters this summer. I did hope, notwithstanding the detention which

I informed you of in my previous letters, that I still would be able to steal away a couple of months this fall, and redeem the promise, which I have broken so often that I presume by this time it has become worthless. But in addition to the business concerning which I have already informed you, there has been an alteration in the time of holding several of the most important courts, at which my engagements require my personal attendance. I start out to attend them in about ten days, so that you will perceive at once the impossibility of my coming home this fall. I will not ask you to be confident that I shall come next year, but I feel confident myself that I shall. This much I do most solemnly promise, that I will make all my arrangements in business, with an eye to doing so, and nothing but inevitable accident shall prevent it.

Since I have been in this country, there has not been a year in which I could not have left the State with less sacrifice than during the present. I know it will be gratifying for you to learn, that I feel almost confident of being able, hereafter, to make at least three thousand dollars a year. This year I have attended to more business, than all the time I have been practising before. I have, in particular, engaged in a great many *capital cases*, where men have been tried for murder and other enormous crimes, and I have been very successful. Heretofore, I have made little money, and even now, the fees for most of my business are still owing to me. I hope hereafter to be able to do more for those I love. If my views are not too sanguine, I shall be able to gratify myself by so doing.

I know Anna will laugh at me very heartily, when I tell her that I have been strongly solicited by some of the most influential men in the State, to become a candidate for Congress, and, further, that I believe, if I pleased, I could be elected. But I have refused without hesitation. I have stated to you my situation here, not by way of boasting, but because I knew it would gratify you, and because it might serve as some additional reason why I should not sacrifice my prospects, even to the pleasure of visiting home this summer.

I received Anna's agreeable letter yesterday, and thank her

for it. The only complaint I have to make is, that she does not write often enough, nor does Abby, nor do you, my dear mother. You cannot tell how gratified I was to hear that S. was in the land of the living. The moment I can get two weeks to spare, I shall go to Mobile, and find him out. My love to you all.

Your affectionate

SEARGENT.

TO HIS SISTER ABBY.

VICKSBURG, *December* 10, 1834.

DEAR SISTER ABBY:—

Most of my letters of late have commenced with apologies for my negligence in not writing more regularly. But really it is now impossible for me to write as regularly as I used to do. My business compels me to be absent from Vicksburg at least half my time, and this in periods of a month or two months together. While away from Vicksburg, I find it out of the question to sit down with any pleasure for the purpose of communing with those I love. Surrounded, during the whole time of my absence, by noisy and boisterous people—overwhelmed and perplexed by complicated business—subject every moment to be intruded upon by the calls of clients—I become so vexed and harassed, that when I return to Vicksburg and find a letter from home, and then sit quietly down in my office to answer it, as I am now doing, it seems as if I had gotten into a new world. Indeed it is the greatest luxury I enjoy.

I found on my return from court, a day or two since, a letter from you and also one from Anna. I am much pleased that you are spending the winter in New York. It will afford you so much gratification, and W—— and A——, too. But more than all, I am pleased with the advantages which you will necessarily derive from a residence there for a few months. It will enable you to see and know more of the world than years of residence at home; and such knowledge is valuable. It opens new subjects for reflection, and still more, teaches one to compare the pleasures arising from intercourse with fashionable society—

with strangers who care nothing about you—and those arising from the exercise of the duties and affections, which flourish only among those who gather round the same fireside, and form part of the same domestic circle. If I know anything of the disposition and character of my sweet and gentle sister Abby, she will enjoy fully all that presents itself worth her observation, during her stay in the great city, but will return to the little village with more pleasure than she left it; there to resume her former occupation of relieving the cares, and increasing the enjoyments, of one of the best mothers in the world: and no one is better fitted for such an occupation.

Permit me to act as your banker; and accept the within note to defray such little expenses as you may incur; it is from your brother. I thank you most kindly for your offer to make up some linen for me, but I cannot permit it. I had rather you would spend your time for your own advantage and not for mine. When you have nothing else to do, read, write, take lessons in some accomplishment which you wish to acquire. If Miss Augusta is the same sprightly and lively young lady I once knew, she will not hesitate to join you. When you return home again, I will avail myself of your kindness.

My love to William and his family, and believe me ever

Your most affectionate brother,

SEARGENT.

His journeys to attend the various courts in the interior of the State, referred to in the preceding letters, were generally made on horseback. They still live in the memory of his brethren of the bar, who were wont to be his companions, among their most delightful recollections of him. He was, as has been said, a great lover of nature; and although the scenery of Mississippi has little of the varied beauty and grandeur which mark the landscapes of New England, there was yet much in it well fitted to excite his imagination. Its gorgeous flora,—the wild splendor of its vegetation—the colossal forms and sombre aspect

of its aboriginal forests, still inhabited by the red man, abounding in all sorts of game, and haunted by savage beasts—the lonely roads, traversing sometimes an old Indian trail, and memorable for tales of robbery, murder, or other fearful tragedies—the dark rivers and sluggish lakes, filled with alligators, or suddenly crossed by a flock of noble deer—these things wrought upon his fancy in a singular manner.* It was during these long rides through the forest, that he was most apt to be in the mood for disclosing the stores of his wonderful memory, or discussing high questions of philosophy, government, and human destiny.

One of his friends, referring to this point, writes: "To him

'A thing of beauty was a joy for ever.'

His memory was extraordinary. Fused by his glowing enthusiasm, it received every impression made on it, deeply and indelibly. I remember having once ridden with him to a neighboring county court, and during the jaunty conversations usually attending such journeys (there were no railroads in those days) I would sometimes recite a line from Byron, and he would immediately take up the stanza and repeat whole successive pages, without hesitation. The *Siege of Corinth* will never be forgotten by those, who were so fortunate as to be present on those few occasions when, among his friends, he would recite it with a look and tone, accent, and gesture truly electric." †

"Your brother was a bold and daring thinker. As we have rode together from one court to another, along lonely

* The reader will find some graphic descriptions of the scenery and rural sports of the Southwest in *The Hive of the Bee-Hunter*, by T. B. Thorpe, Esq. The piece entitled *Wild Turkey Hunting*, is a delightful specimen of word-painting.

† Jno. M. Chilton, Esq.

and unfrequented roads, I have sometimes known him to push his thoughts, as it seemed to me, to the outermost verge of human conception, and then settle for many minutes, into painful and sickly melancholy, because his intellect could not peer beyond the field of mortal vision. His melancholy never lasted long, but it was intense while it was upon him. Fortunately nature had given him such animal spirits as to prevent the possibility of his becoming a misanthrope, or he, the most joyous being that I ever met, might have sunk into a moody and miserable man." *

He was at this time in the very heyday of jovial good-nature. Everybody liked him, and he was disposed to like everybody in return. The following anecdote will illustrate his popularity, and his pleasant temper, while it also throws light upon the character of the times.

"On one occasion he was opposed before Judge Scott (now residing in Texas), by George C——, afterwards, for many years, Judge of the Circuit Court, for the district, comprising Vicksburg; and in the course of the trial, an altercation ensued, which resulted in blows. The Judge immediately fined both combatants, and ordered them to be imprisoned for twenty-four hours in the county jail. Mr. C——, attempted by excuses to get off, but Mr. Prentiss (who by the way had been knocked down), rose quite alertly, and acknowledging to the Court the justice of the sentence, added, with significant drollery, that before it was carried into execution, he had one request to make. The Court granted permission with twinkling eye and ill-concealed mirth.

"May it please your Honor," said Mr. Prentiss, "I have nothing to say against the sentence just pronounced. I

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*Judge Wilkinson.

have been guilty of unintentional disrespect to the Court, as well as great want of self-respect. But—but (and here he affected a degree of *naïveté* and sincerity, that for the moment deceived every one), I *hope* your Honor will not disgrace me by putting me in the same cell with George C—— !" The bystanders and bar were, of course, convulsed with laughter, and the judge himself could only restrain his risibles long enough to order the sheriff to adjourn the court. Both were conducted to their respective cells. On that night all the members of the bar, and many of the citizens, repaired to Mr. P.'s cell, where they spent the night in partaking of a sumptuous supper, and enjoying the exhaustless good humor of their captive guest. On the next day, a multitude guarded him from his prison to the court-house, and in the bold flight of the liberated eagle, every one soon forgot his temporary captivity." *

In the month of August, of this year, he delivered an address at Jackson, the capital of the State, in memory of Lafayette. It is evidently a hasty effusion, and is said to have been written, at a single sitting, a night or two before its delivery. Although it may now sound somewhat extravagant, even for a eulogy, it only echoed the sentiment which pervaded the entire nation, when the news came that their beloved friend and benefactor was no more. In one of his college letters, he speaks of having seen and shaken hands with Lafayette, when the latter visited Portland.

The following extracts contain the substance of the address :—

Death, who knocks with equal hand at the door of the cottage and the palace gate, has been busy at his appointed work. Mourning prevails throughout the land, and the countenances

* John M. Chilton, Esq.

of all are shrouded in the mantle of regret. Far across the wild Atlantic, amid the pleasant vineyards, in the sunny land of France—there, too, is mourning; and the weeds of sorrow are alike worn by prince and peasant. And against whom has the monarch of the tomb turned his remorseless dart, that such wide-spread sorrow should prevail? Hark! and the agonized voice of Freedom, weeping for her favorite son, will tell you, in strains sadder than those with which she shrieked at Kosciusko's fall, that LAFAYETTE—the gallant and the good—has ceased to live.

The friend and companion of Washington is no more! He who taught the eagle of our country, while yet unfledged, to plume his young wing, and mate his talons with the lion's strength, has taken his flight far beyond the stars, beneath whose influence he fought so well. Lafayette is dead! The gallant ship, whose pennon has so often bravely streamed above the roar of battle and the tempest's rage, has at length gone slowly down in the still and quiet waters. Well mightest thou, O Death! now recline beneath the laurels thou hast won, and for a while forego thy relentless task: for never, since, as the grim messenger of Almighty vengeance, thou camest into this world, did a more generous heart cease to heave beneath thy chilling touch, and never will thy insatiable dart be hurled against a nobler breast. Who does not feel, at the mournful intelligence, as if he had lost something cheering from his own path through life: as if some bright star, at which he had been accustomed frequently and fondly to gaze, had been suddenly extinguished in the firmament?

The page of history abounds with those who have struggled forth from the nameless crowd, and, standing forward in the front ranks, challenged the notice of their fellow-men: but when, in obedience to their bold demands, we examine their claims to our admiration, how seldom do we find aught that excites our respect or commands our veneration!

With what pleasure do we turn from the contemplation of the Cæsars and Napoleons of the human race, to meditate upon the character of Lafayette! We feel proud that we belong to

the same species: we feel proud that we live in the same age: and we feel still more proud, that our own country drew forth and nurtured those generous virtues, which went to form a character, that, for love of liberty, romantic chivalry, unbounded generosity, and unwavering integrity, has never had a parallel.

The history of this wonderful man is engraved upon the memory of every American. I shall only advert to such portions of it as will best tend to illustrate his character. In 1777, our fathers were engaged in rescuing from the fangs of the British lion, the rights which their sons are now enjoying. It was the gloomiest period of the Revolutionary struggle. Our army was feeble and unprovided; an insolent and victorious enemy was pressing hard upon them; despondency had spread through their ranks. It seemed as if the last hope of Freedom was gone. Deep gloom had settled over the whole country; and men looked with a despairing aspect upon the issue of a contest, which their best wishes could not flatter them was doubtful. It was at this critical period that their hopes were renovated and their spirits roused, by the cheering intelligence that at Charleston, in the State of South Carolina, had just arrived a gallant French nobleman, of high rank and immense wealth, eager to embark his person and his fortunes in the sacred cause of Liberty! New impulse was given to the energies of our dispirited troops. As the first ray of morning breaks upon the benighted and tempest-tossed mariner, so did this timely assistance cheer the hearts of the war-worn and almost despairing soldiers of Freedom. The enthusiastic Frenchman, though but a beardless youth, was immediately taken to the affections and the confidence of Washington. Soon, too, did he flesh his maiden sword upon his hereditary foes, and proved, upon the field of Brandywine, that his blood flowed as freely as his treasure, in the cause he had espoused. That blood was the blood of the young Lafayette! And but nineteen summers had passed over his brow, when he was thus found fighting side by side with the veteran warriors of Bunker Hill. But how came he here? Born to a high name and a rich inheritance—educated at a dissipated and voluptuous court—married to a

young and beautiful woman—how came he to break through the blandishments of love and the temptations of pleasure, and thus be found fighting the battles of strangers, far away in the wilds of America? It was because, from his infancy, there had grown up in his bosom a passion more potent than all others: and that passion was the love of liberty. A spark from the very altar of Freedom had fallen upon his heart, and he watched and cherished it with more than vestal vigilance. This passionate love of liberty—this fire that was thenceforth to glow unquenched and undimmed, impelled him to break asunder the ties both of pleasure and affection. He had heard that a gallant people had raised the standard against oppression, and he hastened to join them. It was to him the Crusade of Liberty; and, like a knight of the Holy Cross, he enlisted in the ranks of those who had sworn to rescue her altars from the profane touch of the tyrant.

More genial far to him were the hardships, the dangers, and the freedom of the American wilds, than the ease, the luxury, and the slavery of his native court. He exchanged the voice of love for the savage yell and the hostile shout—the gentle strains of the harp and lute, for the trumpet and drum, and the still more terrible music of clashing arms. Nor did he come alone or empty handed. The people in whose cause he was about to peril his life and his fortune, were too poor to afford him even the means of conveyance, and his own court threw every obstacle in the way of the accomplishment of his wishes. Did this damp his ardor? Did this chill his generous aspiration? No; they added new vigor to each. "I will fit out a vessel myself!" exclaimed the youthful enthusiast. And in spite of the sneers of the young and the cautions of the old, the gallant boy redeemed his pledge. Soon a proud ship was seen flying "fast and falcon-like" across the wide Atlantic. She landed on our shores like a bird of promise; and by her present aid, and hopes of future succor, infused new vigor into our almost palsied arms.

Such was the commencement of a career, destined to be more brilliant than aught of which we read in tale or history, realizing the wildest wishes of youthful enthusiasm, and proving that

the romance of real life often exceeds the strangest fictions of the imagination.

From the moment of joining our ranks, the young hero became the pride and the boast of the whole army. He won the affections of the stern-browed and iron-souled warriors of New England, and was received with open arms by the warm-hearted and chivalric sons of the South. Though the down of manhood had scarcely begun to spring upon his cheek, yet were his counsels eagerly listened to by the hoary leaders and the scarred veterans of the war. On the field of battle, he was impetuous and brave; in the council, the wisdom of Nestor flowed from his lips.

It is not my intention, nor will the present occasion allow, to go into a detailed account of the services rendered by Lafayette to the country of his adoption. Suffice it to say, that throughout the Revolutionary struggle, with unchanged fidelity and undeviating devotion, he continued to pour forth his blood and his treasure in the sacred cause he had espoused; and when at length, full of honors, without one single stain upon his bright escutcheon, he returned to his native land, the voices of millions of freemen were united in invoking the blessings of Heaven upon his head. From thenceforth a halo of glory surrounded him, and he was hailed by all the world as the Apostle of Liberty. And well did he deserve the title! For not more truly does the needle point to the pole, than did all his feelings point to the great principles of civil freedom.

During the sanguinary scenes of the French Revolution, when the people had quaffed so deeply at the fountain of liberty, that they became drunk and frenzied with the unusual draughts, Lafayette alone lost not his equanimity. He alone dared to oppose the wild excesses of the Jacobins: and though he was unable entirely to stem the maddened torrent, which seemed let loose from hell itself, yet many are the thanks due to his unwearied exertions to restrain that torrent within the banks of law and civil order. Throughout those troublesome times, he was found at his post, by the side of the constitution and the laws; and when at length the whole foundations of society were

broken up, and the wild current of licentiousness and crime swept him an exile to a foreign land, still did he hold fast his integrity. In the gloomy dungeons of Olmutz, the flame of patriotism glowed as brightly and as warmly in his breast, as ever it did when fanned by the free breezes of the mountains.

The dungeons of Olmutz! What associations are connected with the name! They form a part of the romance of history. For five long years was the Friend of Liberty immured in the prison of a tyrant. In vain did the civilized world demand his release. But what nations could not effect, came near being accomplished by the devoted exertions of two chivalric young men; and one of them was a South Carolinian, whose father had extended the hospitality of his house to Lafayette, when, on his first visit to America, he landed in the city of Charleston. Strange, that after the lapse of so many years, the little child who had then climbed upon his knee, should now be perilling life for his rescue! There is nothing in history to compare with this romantic episode of real life—unless, perhaps, the story of the minstrel friend of the lion-hearted Richard, wandering through those very dominions, tuning his harp beneath every fortress, till at length his strains were answered, and the prison of the royal Crusader discovered.*

But the doors of the Austrian dungeon were at length thrown open, and Lafayette returned to France. Great changes, however, had taken place in his absence. The flood of the Revolution had subsided. The tempest of popular commotion had blown over, leaving many and fearful evidences of its terrible fury; and the star of the Child of Destiny had now become lord of the ascendant. Small was the sympathy between the selfish and ambitious Napoleon, and Lafayette, the patriot and philanthropist. They could no more mingle, than the pure lights of Heaven and the unholy fires of hell. Lafayette refused with

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* The young Carolinian was Col. Francis K. Huger, who died February, 1835, at the advanced age of eighty-two. His companion was Dr. Eric Bollman, of Philadelphia. They both suffered a long incarceration in consequence of their generous adventure.—Ed.

scorn the dignities proffered by the First Consul. Filled with virtuous indignation at his country's fate, he retired from the capital; and devoting himself a while to the pursuits of private life, awaited the return of better times.

And here we cannot but pause for a moment to compare these two wonderful men, belonging to the same age and to the same nation—Napoleon and Lafayette. Their names excite no kindred emotions; their fates no kindred sympathies. Napoleon—the child of destiny—the thunderbolt of war—the victor in a hundred battles—the dispenser of thrones and dominions:—he who scaled the Alps, and reclined beneath the pyramids; whose word was fate, and whose wish was law. Lafayette—the volunteer of Freedom—the advocate of human rights—the defender of civil liberty—the patriot, the philanthropist—the beloved of the good and the free. Napoleon—the vanquished warrior, ignobly flying from the field of Waterloo: the wild beast, ravaging all Europe in his wrath, hunted down by the banded and affrighted nations, and caged far away upon an ocean-girded rock:—Lafayette—a watch-word by which men excite each other to deeds of worth and noble daring; whose home has become the Mecca of freedom, towards which the pilgrims of Liberty turn their eyes from every quarter of the globe. Napoleon was the red and fiery comet, shooting wildly through the realms of space, and scattering terror and pestilence among the nations:—Lafayette was the pure and brilliant planet, beneath whose grateful beams the mariner directs his barque, and the shepherd tends his flocks. Napoleon died, and a few old warriors—the scattered relics of Marengo and of Austerlitz—bewailed their chief:—Lafayette is dead—and the tears of a civilized world attest how deep is the mourning for his loss. Such is, and always will be the difference of feeling towards a *benefactor* and a *conqueror* of the human race.

In 1824, on Sunday, a single ship furled her snowy sails in the harbor of New York. Scarcely had her prow touched the shore, when a murmur was heard among the multitude, which gradually deepened into a mighty shout; and that shout was a shout of joy. Again and again were the heavens rent with the

inspiring sound. Nor did it cease; for the loud strain was carried from city to city, and from State to State, till not a tongue was silent throughout this wide Republic, from the lisping infant to the tremulous old man. All were united in one wild shout of gratulation. The voices of more than ten millions of freemen gushed up towards the sky, and broke the stillness of its silent depths. But one note, and but one tone, went to form this acclamation. Up in those pure regions, clearly and sweetly did it sound—"Honor to Lafayette!" "Welcome to the Nation's Guest!" It was Lafayette, the war-worn veteran, whose arrival upon our shores had caused this wide-spread, this universal joy. He came among us to behold the independence and the freedom which his young arm had so well assisted in achieving; and never before did eye behold, or heart of man conceive, such homage paid to virtue. His whole stay amongst us, was a continued triumph. Every day's march was an ovation. The United States became for months one great festive hall. People forgot the usual occupations of life, and crowded to behold the Benefactor of mankind. The iron-hearted, grey-haired veterans of the Revolution thronged around him, to touch his hand, to behold his face, and to call down Heaven's benison upon their old companion-in-arms. Lisping infancy and garrulous age, beauty, talents, wealth and power—all, for a while, forsook their usual pursuits, and united to pay a willing tribute of gratitude and welcome to the Nation's Guest. The name of La Fayette was upon every lip, and wherever was his name, there too was an invocation for blessings on his head. What were the triumphs of the classic ages, compared with this unbought love and homage of a mighty people? Take them in Rome's best days—when the invincible generals of the Eternal City returned from their foreign conquests, with captive kings bound to their chariot wheels, and the spoils of nations in their train; followed by their stern and bearded warriors, and surrounded by the interminable multitudes of the seven-hilled city, shouting a fierce welcome home,—what was such a triumph, compared with that of Lafayette? Not a single city, but a whole nation, rising as one man, and greeting him with an

affectionate embrace! One single day of such spontaneous homage, were worth whole years of courtly adulation; one hour might well reward a man for a whole life of danger and of toil. Then, too, the joy with which he must have viewed the prosperity of the people for whom he had so heroicaly struggled! To behold the nation which he had left a little child, now grown up in the full proportions of lusty manhood! To see the tender sapling, which he had left with hardly shade enough to cover its own roots, now waxing into the sturdy and unwedgeable oak, beneath whose grateful umbrage the oppressed of all nations find shelter and protection! That oak still grows on in its majestic strength, and wider and wider still extend its mighty branches. But the hand that watered and nourished it, while yet a tender plant, is now cold: the heart that watched, with strong affection, its early growth, has ceased to beat.

Virtue forms no shield to ward off the arrows of death. Could it have availed, even when joined with the prayers of a whole civilized world, then indeed, this mournful occasion would never have occurred; and the life of Lafayette would have been as eternal as his fame. Yet though he has passed from among us—though that countenance will no more be seen, that used to lighten up the van of Freedom's battles, as he led her eaglets to their feast—still has he left behind his better part —the legacy of his bright example—the memory of his deeds. The lisping infant will learn to speak his venerated name. The youth of every country will be taught to look upon his career, and follow in his footsteps. When, hereafter, a gallant people are fighting for Freedom against the oppressor, and their cause begins to wane before the mercenary bands of tyranny—then will the name of Lafayette become a watch-word, that will strike with terror on the tyrant's ear, and nerve with redoubled vigor the freeman's arm. At that name many a heart before unmoved, will wake in the glorious cause; many a sword, rusting ingloriously in its scabbard, will leap forth to battle. And even amid the mourning with which our souls are shrouded, is there not some room for gratulation? Our departed friend and benefactor has gone down to the grave,

peacefully and quietly, at a good old age. He had performed his appointed work. His virtues were ripe. He had done nothing to sully his fair fame. No blot or soil of envy or calumny can now affect him. His character will stand upon the pages of history, pure and unsullied as the lilied emblem on his country's banner. He has departed from among us; but he has become again the companion of Washington. He has but left the friends of his old age, to associate with the friends of his youth. Peace be to his ashes! Calm and quiet may they rest upon some vine-clad hill of his own beloved land! And it shall be called the Mount Vernon of France. And let no cunning sculpture, no monumental marble, deface, with its mock dignity, the patriot's grave: but rather let the unpruned vine, the wild flower, and the free song of the uncaged bird—all that speaks of freedom and of peace, be gathered round it. Lafayette needs no mausoleum. His fame is mingled with a Nation's History. His epitaph is engraved upon the hearts of men.

CHAPTER VII.

Letters—Voyage to New York—His First Visit Home—Letters—Serious Accident—Is elected a Member of the Legislature—Entrance into Political Life—Anecdote of a Backwoods Speech—Session of the Legislature—Letters Home—Visit to Kentucky—His Trips up and down the Mississippi—Scenery and Scenes on the River—Vicksburg in 1836-7.

ÆT. 26—28. 1835—1837.

S. S. PRENTISS TO HIS MOTHER.

VICKSBURG, *February* 7, 1835.

MY DEAR MOTHER:—

I have just returned to Vicksburg, after an absence of six weeks on business. At least two-thirds of my time is spent from home, in attendance upon courts and other professional engagements. This is the occasion of the irregularity which has, of late, crept into my correspondence. Though I arrived here but yesterday, I am compelled to leave again to-morrow, and shall not be back for several weeks. Indeed, my business presses me so much, that I have hardly time to write the few lines you are reading.

Our weather has been exceedingly warm till within two or three days, since which time it has been as cold, I think, as I ever knew it in Maine. Even now, as I write, I hear the earth bursting, and the vessels breaking every instant. It seems, indeed, like old times. I think there is nothing now within the ordinary occurrences of life, that can prevent my coming home next summer. I shall not be able to start till some time in the latter part of June. I anticipate a degree of pleasure beyond anything I have known for years, in this visit.

I am in a great hurry, and will have to crave your indulgence for so poor an epistle. I know, however, that I can rely on it;

for you are well assured that, whatever may be wanting in my letters, there is nothing wanting in the feelings and warm affections that dictate them. My love to you all; and, with the hope of seeing you soon, I remain

Your affectionate son,

SEARGENT.

TO THE SAME.

VICKSBURG, *May* 11, 1835.

MY DEAR MOTHER:—

For the first time since I have been in this country, I have to inform you that I have been a little indisposed; but then I have the satisfaction of telling you that I have entirely recovered from it, and am again as well as ever I was in my life. And what do you think has been the matter with me? Nothing more nor less than the *varioloid.* Soon after my last letter, I learned that a particular friend of mine at Natchez, Mr. Huston, was lying at the point of death with the small-pox. I went immediately down to see him, and found that he had, indeed, a terrible case of that loathsome disease. I stayed with him two or three days, and finding that he had passed the crisis, and would probably get over it, I returned to Vicksburg. As I had a good vaccine mark on my arm, and knew you were always careful to have the children vaccinated, I felt no alarm—although I could not recollect that I ever had been vaccinated. But, thanks to your care, it had been done and well done; otherwise I should have had the worst kind of small-pox. Even as it was, after having returned about ten days, I had the varioloid, and was laid up for just a week. There was very little eruption, and it will not mark me in the slightest degree. I have been out now several days. I am glad of the occurrence, as I *now* need have no fear whatever of the small-pox.

I cannot tell even yet exactly when I shall start for home. Our court here is now in session; but there is one more court, where I have important business, requiring my personal attention, which does not sit till the middle of June. If that court should be certain to sit (which I have not yet ascertained), I

must attend it, and shall not get off till about the first day of July—that is the furthest, however. I have everything ready, and the money now lying in bank, for the trip.

My love to the girls; I believe I owe them both a letter; but I'll pay them in talk when I come home. As the time approaches, in which I trust to see you all, I have lost half my inclination to write; for I am continually thinking how much pleasanter it will be to talk over matters by the fireside, when I get home.

Your affectionate son,

SEARGENT.

He came by sea to New York, and was accompanied by quite a party of Mississippians. Judge Wilkinson, who was one of his fellow-passengers, writes:—

It was during this voyage (which, owing to long and frequent calms, was unusually protracted) that I had full evidence of the surprising stores of his capacious and retentive memory. He would recline upon the quarter-deck and, hour after hour, rehearse from Shakspeare, Spenser, Milton, Byron, Scott, and all the chief poets of England, page by page, in the finest style. Many of the best passages I afterwards recognized, as he would reproduce them in his public speeches. He kept us all in excellent spirits during the long voyage; although, with his characteristic impatience of quiet, he would sometimes wish for a *storm* as a relief from the dead calm of the sea. His mind was in perfect tune. He was not then distinguished in the great world—it was just before his genius burst upon the country in all its splendor. The commonest incident that happened in the ship, was sure to call forth from him some highly poetical and happy illustration, or witty remark; sometimes borrowed, but almost always original. A dolphin, for example, was taken; and as it died on the deck, he gave us those beautiful lines from Byron about "parting day."*

* ——Parting day
Dies like the dolphin, whom each pang imbues,
With a new color, as it gasps away,
The last still loveliest, till—'tis gone—and all is gray.
—*Childe Harold*, canto IV, stanza 29.

Well, at last the vessel anchored in port, and a day or two afterwards, we agreed to take an excursion together to West Point. Here, being entire strangers to every one, we sat at the *table d'hote* opposite a party quite distinguished in appearance, one of whom was the attractive and beautiful Miss W——, now Madame L——, of Mobile. Some courtesies of the table passed between our parties, and after we had withdrawn from the dining parlor, Miss W. sent a gentleman to us to request an introduction. PRENTISS declined—he did not, at that time, frequent the company of ladies—but, upon hearing who the lady was, I readily complied. At the end of a pleasant interview I, after a long search, found P. lying in the shade on the bank of the river, and in a somewhat sad and contemplative mood. I rallied him upon his want of gallantry; and for the only time I ever heard him, he alluded most feelingly to the dwarfed and crippled condition of one portion of his body, alleging that as his reason for not desiring, and even shunning, the society of ladies; and he would not be persuaded that any man could possess attractions sufficient to obscure such a defect as his.

Accompanied by his eldest sister, who was awaiting him in New York, he reached Gorham in July. He had been absent eight years. The joy of his return it were vain to describe. I was at Brunswick, and first learned of his arrival home by a note from himself, saying he was at the hotel. Hastening thither, I found him sitting in a retired room, and absorbed, seemingly, in deep thought. He was musing, doubtless, upon the past, and upon the varied fortunes which had attended him since, nine years before, he bade adieu to College scenes. His appearance, at this time, was very striking; and arrested the eye of the most casual observer. When animated by conversation, every feature of his countenance glowed with intellectual beauty; his smile was peculiarly radiant; the tones of his voice were clear and persuasive; while the shape of his mouth and the whole carriage of his head gave assurance of an indomitable

will. His mother, at first, thought him greatly altered, but in a few days the boyish looks came back, and he seemed to her, just as he did on the day of setting out for the Far West.

He took much delight in revisiting the old homestead—fishing again in the Great Brook—calling upon the old neighbors and his numerous friends at the village and in Portland. But it was in the inner home circle that he seemed most happy and most like himself. His manner towards his mother was still the same as aforetime; only to the artless love and devotion of boyhood, there was added a certain tone of deepened respect and deference, which well became his change of years. Not less striking was his bearing towards his sisters. His intercourse with them was marked by a tender affection, delicacy, and manly gentleness, which reflected the very spirit of romantic courtesy. This journey home was to him a holy pilgrimage. For years it had been fondly meditated in lonely hours at Vicksburg; and when he reached the domestic shrine, his heart seemed gladdened as by the payment of a solemn, long-neglected vow. How quickly the bright hours were spent in talking over the past, enjoying the fleet present, and laying plans for the future!

Thus passed away his first visit North; a visit which served to bind him yet more closely to his New England home.

TO HIS MOTHER AND SISTERS.

VICKSBURG, *Sept.* 19, 1835.

MY DEAR MOTHER AND SISTERS:—

I arrived safely at Vicksburg about a week since, and went immediately into the country to attend a court, which had commenced a day or two before. Had I been a few days later it would have caused me considerable injury; for I have got some very good fees by being present.

I find my friends all well, and our little town uncommonly quiet, notwithstanding the trouble which has occurred here during the summer. There is no danger of any further difficulties, and unfortunate as was the necessity of taking the strong measures which were adopted to rid the place of a gang of ruffians who had infested it for years with impunity, yet the result is most excellent—not only in regard to this place but throughout the Southern country. There is hardly an individual in the State, who does not approve of the course taken by the citizens of Vicksburg.

The excitement growing out of the insurrection of the slaves has subsided, and not the slightest danger is now anticipated. During the prevalence of the alarm, there were, throughout the State, six white men and about fifteen negroes hanged. I think the severe measures which were pursued, will prevent a recurrence of similar events—at least for a long period of time. It ought certainly to serve as a warning to the abolitionists, not only of their own danger but of the great injury they are doing the slaves themselves, by meddling with them.

I wrote you from Louisville, informing you that I had met S., and tarried a day with him in Cincinnati. He was well, looked well, and said he was doing well. He promised to write; but he seems to have such an antipathy to a pen, that I doubt if he will.

I am in daily expectation of a letter from one of you. I suppose Anna will have returned from New York, and be off for Ipswich, by the time this reaches you. George must write me all about Commencement, and Abby too. My love to you all. Remember me to our friends. Good bye.

Ever your affectionate,

SEARGENT.

TO HIS SISTER ANNA.

VICKSBURG, *Dec.* 10, 1835.

DEAR SISTER:—

I received your kind favor of Oct. last, some two weeks since, and should have written in return before this, but

I have been quite ill from an accident, which happened to me about three weeks ago, and from which I have just recovered.

I was eating dinner, and by some chance, a small piece of broken glass got into my glass, and in drinking I swallowed it. It lacerated my throat very much and I have been laid up by it till within a day or two. I am now entirely recovered, and as well as I ever was in my life, but I have had a pretty severe time of it, I assure you. I have not written mother about it at all, as it will only worry her, and as there is no harm done, perhaps it's not worth while she should know anything of it.*

I am very glad you are so well contented with Ipswich. Indeed it was no small undertaking for you to go alone, and introduce yourself at a strange place; and I would give a silver penny to have seen how demure you looked perched up in the stage-coach, and starting off like a young knight-errantess to *seek your fortune.* None but Yankee girls have such enterprise, I assure you. Don't stint yourself at all in your expenses, and provide yourself fully with all the books and everything else, which you want.

I told you in my last letter, that I had had the great honor of being elected a member of the Legislature from the notorious town of Vicksburg. In about three weeks the Legislature commences its session, and I shall spend the winter at the seat of Government—*making* laws instead of expounding them. I shall be busier this winter than I ever was in my life before, and you must not be surprised if I do not even find time to write as often as usual. You must not however fail to write me often, and good long epistles. I think you have an uncommon faculty in letter-writing, which you ought to cultivate. I admire your letters, and assure you, there is no gratification which I receive greater than in their perusal. Write me as often as you can, and don't wait for regular answers, and tell me every

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*This casualty was much more serious than he represents it. For several days his life hung by a single thread: humanly speaking, nothing saved him but his buoyancy of spirit, and the extraordinary vigor of his constitution. Some time afterwards, he gave me a very interesting account of his state of mind in prospect of death.—Ed.

thing you can think about. My love to you, and all the rest of the folks. Good bye.

Your affectionate brother,

SEARGENT.

TO HIS YOUNGEST BROTHER.

VICKSBURG, *Dec.* 28, 1835.

DEAR GEORGE:—

I am absolutely stealing a few moments from my professional engagements to drop you these lines, lest you might suppose something evil had happened to me. In truth my business presses upon me in an unusual manner. Three of our most important courts are about to commence their sessions at the seat of Government, in all of which I am largely engaged; at the same time commences the session of our Legislature, of which honorable body, I believe I have informed you, I am an unworthy member. This session of the Legislature will be an extremely important and laborious one, more so than any other that has ever occurred in the State. It will, probably, be protracted till spring; so you see that between making laws and expounding them, I shall have a busy time of it for the next three or four months. We have, among other things, to elect a United States Senator in the place of Poindexter.

We have (the Whigs) gained a great triumph already in the election of a Whig Governor, and a Whig majority in both branches of Legislature. We hope to finish our victory by the reelection of Poindexter. At any rate, Van Burenism, which heretofore has been all-powerful, is now dead in this State. But a truce to politics. My health and business are both good, as are also my spirits. Could I drop in occasionally and see you all, after the labors of the day are over, I should want nothing further to complete my happiness.

I anticipate a great deal of pleasure in seeing you next year, in this country. You must certainly come when your engagement is out with the Academy. I had a letter some time since from Reuben N——, who proposes coming to this country. I have promised to to what I can for him, if he comes. What

does mother say about moving into Portland, or to New York? If I have not time to write as often as usual this winter, I shall have time to read; so write often, My love to you all.

Your affectionate brother,

SEARGENT.

We approach now the period when his public life may be said to have commenced. Soon after returning South, he was elected a representative from Warren County to the State Legislature, and for the next eight years he was, with occasional intervals, ardently engaged in the toil and strife of politics. What he thought of this new vocation will appear from his letters. When he first went to the South-west, and for several years afterwards, he took little interest in the party questions of the day. But it was impossible for a young lawyer of his talents, eloquence and patriotic impulses, to remain long an indifferent observer of public affairs. He could not help forming his own opinions about what was going on in the political world—nor, once formed, could he help boldly expressing them. He became early a warm admirer of Henry Clay, and conceived, at the same time, a corresponding dislike to the spirit and policy of Gen. Jackson and his party.

There are many persons in Mississippi who remember his earliest political speeches, and think they were rarely, if ever, surpassed for wit, sarcasm, or argumentative power, by those of his maturer years. How many an amusing scene is recalled by those youthful philippics against Old Hickory!

Judge Wilkinson writes :—

I first met your brother at a Circuit Court, for the county of ———, then a newly settled and border country. The accommodations at our log-cabin hotel were none of the best; and Mr. PRENTISS was wittily, and playfully, discoursing of their character

to the lawyers, who had gathered around him. Attracted by peals of laughter, the host—a man of giant proportions and Herculean strength—approached in the rear of your brother, and without his knowledge. He listened to the exquisite humor of PRENTISS as long as he could bear it, then suddenly and abruptly confronting him—"Mr. P." he exclaimed with an oath, "if you don't like my house, sir, you can leave it. There is another tavern in town, sir." "That other tavern is just the place I don't care to go to," quickly replied your brother, "for it is worse than yours by far." The "other tavern" keeper was at daggers drawn with our host, and this was the very best reply he could have made to avoid a knock-down. This was proven by the event, for the grim and angry features of the giant Boniface soon relaxed into a forgiving and satisfied smile; and Mr. PRENTISS was always, after this, a great pet with him.

Soon afterwards I witnessed another display of his self-possession and readiness under trying circumstances. He was making one of his first stump speeches, if not his very first, in the then *backwoods* county of Holmes. It was a powerful invective against Gen. Jackson, for his removal of the members of his first Cabinet. While he was summing up the excuses the Democratic party alleged for the act, he was suddenly confronted by a fellow holding up a large flag, with nothing on it but the words "Hurrah for Jackson!" inscribed with large letters. The man advanced slowly towards the speaker, whose eye no sooner caught the pennant than he exclaimed, without the slightest perturbation—"In short, fellow citizens, you have now before you the sum and substance of all the arguments of the party—*Hurrah for Jackson!*" The effect was electrical, and the poor man slunk away, trailing his banner after him.

The Legislature met the first Monday in January. Mr. PRENTISS was appointed Chairman of the Judiciary Committee, the duties of which he seems to have discharged with much diligence. He spoke frequently during the session, taking part in almost every important discussion; but the reports of his speeches are extremely scanty.

Enough, however, remains—even in the absence of all other testimony—to indicate, not only the prompt, effective and eloquent debater—but the ardent patriot and ripe statesman. In looking over these brief records, one perceives everywhere fine traces of political intelligence, wisdom, and uprightness; they sparkle, like dust of gold, amidst the rubbish of ordinary legislative verbosity. His principal speeches were upon a resolution, recommending that a convention be called to form a new constitution; and on a bill to allow the New Orleans and Nashville Railroad Company to extend their charter through the State of Mississippi. Both subjects led to long and elaborate discussion; involving, as they did, fundamental questions of public policy. Some of the ablest men in the State were members of this Legislature and, nearly all of them participated warmly in the debates.

Mr. Prentiss was in favor of locating the New Orleans and Nashville Railroad east of Pearl River, believing it would promote a rapid development of the agricultural and commercial resources of that portion of the State. A few sentences from his speech on this question, are worth quoting—"A railroad running through the eastern tier of counties, would be like giving them another Mississippi. It would make them the rivals of Portland, his native town, in the lumber trade. They could supply more and better timber than Maine—and it was due to that part of the State, that they should be enabled to make the trial. He wished to see the day come, when the cry, now raised against Natchez, would be put down—not by building up Natchez alone, but by building up towns of equal splendor, in the east and other sections of the State. He was accused of opposing Vicksburg, because he did not oppose the Natchez Railroad. He was aware that road might injure his own town; but

he did not stand here the representative of Vicksburg alone —to the injury of other sections ; he went for the good of the whole. Local interests ought to give way to the general interests of the State.

"On our whole western boundary flowed a river as beneficial to the country as if the salt sea washed our shore. We could hardly imagine the day when the light canoe was the only craft on this Father of Waters. Steamboats, larger than the ships of the ocean, were in the daily habit of passing up and down—and scattering their rich products from every part of the world, amongst the inhabitants of the valley of the Mississippi. Though remote from the sea, we enjoyed, in fact, all the advantages of a maritime State. Steamboats were the finest vessels in the world—and he was of opinion that, were the ocean always smooth, the time would soon come when another sail would never be unfurled to the breeze. And he thought it not unlikely that the improvements of the age would sometime effect this purpose, and that, instead of stopping the towboats at the Balize, they will find their way across the raging billows, defying the winds and waves, and transporting their sisters of the ocean into a foreign port.

"We have received one great advantage—a salubrious climate, and a rich soil for agriculture. But should we, on this account, throw away every other blessing? He thought it would be the part of wisdom, to foster and protect our other resources. We were not legislating alone for the present generation. Because we were now basking in a rich and luxuriant soil, and getting good prices for the products of our agriculture, we had no security that this state of things would always last. Our soil was a treasury superior to the gold of Peru, or the diamonds of Golconda. But let us see if it will be always so. There were few things that could be produced on so great a portion of the

earth's surface as *cotton*. From thirty-two degrees of north, to the same degree of south latitude, it was almost an indigenous plant.

"In Texas the banner of liberty had already been unfurled, and the eyes of the civilized world were upon her. She would, unquestionably, achieve her independence; and would be rich in her agricultural resources. She might, one day, surpass even Mississippi herself, in the production of cotton. Mexico and South America would follow in her train; he looked to the time when they would have a population free and intelligent as our own. Their soil and climate were superior to ours; theirs, too, would be a cotton country—and it is not at all improbable that the produce of the raw material will, at no distant day, far outstrip the demand. If that day came, we should then lament the short-sighted policy we are now pursuing."

During this session of the Legislature the banking capital of Mississippi was increased twelve millions; thus making the whole banking facilities of the State, some twenty-one millions. And it was only for want of two or three votes, that the notorious Union Bank, of fifteen millions, failed to be incorporated. Probably no one, at the time, discerned in this sudden and enormous inflation of paper currency, the mischief, that was to follow.

TO HIS YOUNGEST BROTHER.

VICKSBURG, *February* 29, 1836.

DEAR GEORGE:—

I have just got home from Jackson, and take the first leisure moments I have had for two months to write you. The Legislature adjourned on Saturday last, after a noisy and laborious session; and, I assure you, I took a full share both in the labor and the noise. Of all the occupations I have ever

tried, I am decidedly of opinion, that making laws is the most obnoxious to comfort and happiness. I am sick of it; and if the people would permit it, would resign forthwith: but as my constituents seem perfectly satisfied with my services, I suppose I shall have to hold on another year—the term for which I was elected.

I have received two letters from you, and one from Anna, since I wrote last. In your letters you have asked my opinion of the propriety of moving into Portland. So far as my opinion will have any weight, I give it unhesitatingly in favor of moving. Indeed, if I recollect right, I urged it when I was at home. In regard to mother herself, I think it would increase her comfort and happiness. She would live with less trouble and anxiety; have more of her friends around her; and, in fine, enjoy in every respect, greater advantages and suffer fewer inconveniences, than she can possibly expect from a residence in Gorham. But to the girls the greatest advantage would result in moving to Portland; and on their account particularly, I am very anxious for it. I can see no objection in the world; the only one that could be raised is the additional expense, and that it will afford me pleasure to obviate. By-the-by, I have gained the important suit, which prevented me from coming home summer before last, and I expect to make at least twenty thousand dollars out of it. It will, however, be two or three years, probably, before I realize the property.

I have nothing new to tell you. My health is good, and so is business—rather more so than I like. I am getting very tired of the practice: I wish you would study law, and take my place; it is not half so villainous a profession as you imagine. I shall write to W—— to-night; I have not congratulated him yet on his beautiful boy—of whom he seems to have a very exalted opinion. Tell Abby she is a very lazy correspondent; I have not had a letter from her for a good long time. My love to mother and to you all.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ANNA.

VICKSBURG, *March* 26, 1836.

MY DEAR SISTER:—

I have been guilty of an offence for which I most earnestly entreat your pardon—though I shall not easily forgive myself. I have neglected, for the space of three months, writing to one of the best and sweetest sisters in the world. 'Tis true, during that time I have been overwhelmed with business, and my powers both of body and mind continually taxed to the utmost extent of their capacity. But I do not esteem this a good excuse, for I might have written; and, in fact, have frequently sat down for that purpose, and have thrown aside the thoughts and cares of business, as a weary man would lay down a heavy burden. But then, it was such a luxury to sit and think about home, and imagine you all gathered round,—mother, and A. and G. and yourself—that time would fly away, and I would find myself compelled to postpone writing to some future period—when the same thing would happen again. Indeed, should I write every time and all I think about you, it would take all your time to read my epistles. But as the little children say at school, "If you'll overlook my negligence this time, I won't do so any more."

Our Legislature adjourned about a month since. Immediately after I went to New Orleans,—from whence I have just returned—and whom think you I saw there? Just as I was about to step on board the steamboat to leave the city, I stumbled upon brother S. He had arrived the day before, and it was the merest accident in the world that I found him. He was in good health and spirits; inquired very eagerly about you all, and promises to come home next summer with me. You must write him at Cincinnati, which he calls his head-quarters.

In your last, you ask me whether I would advise you to stay at I—— two years. I would advise you, my dear sister, to stay there just as long as you please, or at any other school you may select. I wish you to have all the advantages of education, which the country will afford. You do not know what obliga-

tion I am under to you: I owe all my success in this country to the fact of having so kind a mother, and such sweet and affectionate sisters as Abby and yourself. It has been my only motive to exertion; without it, I should long since have thrown myself away. Even now, when, as is frequently the case, I feel perfectly reckless both of life and fortune, and look with contempt upon them both, the recollection that there are two or three hearts that beat for me with real affection, even though far away—comes over me as the music of David did over the dark spirit of Saul. I still feel that I have something worth living for. Judge then how much greater are my obligations to you than yours can ever become to me. Write me very often.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ABBY.

VICKSBURG, *April* 16, 1836.

MY DEAR SISTER:—

I wrote to you a few weeks since, on my return from New Orleans, informing you that I had seen S. there, and that he was well, and doing well. I have had the pleasure of seeing him again this morning. His boat stopped here a few hours on her passage down the river. He is in excellent health and good spirits. He sends his love to you all.

I have not had a letter from Gorham for two months or more. I got one this morning from Anna, which was a great treat, though she berated me most unmercifully for not writing her oftener, and unlike the criminals, whom I am in the habit of defending, I can't plead "not guilty." I wrote her, however, about three weeks since, and directed to I——.

Next year I shall be certain to come home and see you again, and indeed would do so this summer, but my partner wishes to go away this summer, which will keep me here. Reuben N—— came here a few days since. I have not as yet been able to get him a school, but think I shall do so shortly. Teaching, however, is not as good a business here as it used to be.

My own business is very flourishing; I have as much as I can attend to. I hope I shall see George out here this fall. I wish he could reconcile it to himself to study Law. He could make a fortune here. My partner will retire from practice in the course of a year, and I could take G. into partnership. At any rate, I wish he would not make up his mind irrevocably as to a profession till he has seen a little more of the world, and had a better opportunity of judging for himself. I am very anxious for a letter from home, and hope to have one soon. My love to you all.

Your affectionate brother,

SEARGENT.

TO THE SAME.

VICKSBURG, *Sept.* 8, 1836.

DEAR SISTER:—

I have just returned from Kentucky, where I have been spending three or four weeks. My last letter, I believe, informed you of my intention to do so, and also continued a promise to write you of my adventures in the "dark and bloody ground." I spent my time very pleasantly, visiting first Louisville, then the Harrodsburg Springs, Lexington, and various other portions of that beautiful State. It is, indeed, a very beautiful country, and many parts of it put me strongly in mind of New England.

I experienced a great deal of hospitality, and was altogether much delighted with my trip. While at Lexington, I called on Mr. Clay, at his residence about a mile from town. He knew me, I having had letters to him when at Washington City, three years ago. He wished me to stay and call on him again; but my engagements were made to leave Lexington that day, and I had to decline, which I regretted. Mr. Clay has a tasteful, but by no means splendid residence—surrounded, however, by the most highly cultivated grounds in all Kentucky. But enough of my visit for the present; I can tell you all about it when I see you next summer.

I am glad you have determined to go back to I—— this winter. I want you and Abby to understand that it is my anxious wish, that you should both avail yourselves of all the advantages which the country will afford for education in its most liberal and extended sense. My warmest love to you all.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ABBY.

VICKSBURG, *Nov.* 2, 1836.

DEAR ABBY:—

I have refrained, for some time, writing to you in the daily expectation of George's arrival. You may judge how gratified I was to find him this morning seated quietly in my office, awaiting my lazy motions in rising. He arrived here last night (in the night), and is in excellent health and spirits. I am rejoiced to see him, and only regret that I cannot gather all our little family group around me to partake of my enjoyment. As to his voyage down the mighty Mississippi, and his adventures since he left home, I shall leave them to his own pen.

At Cincinnati he met with S., who is well, though he has been somewhat indisposed during the summer. We expect him down here in the course of a month. G. and myself have had several long chats about his views and prospects—though as yet we have come to no definite conclusion on the subject. I have, however, I think, persuaded him not to think of wasting his time in the ungrateful task of teaching. My increasing prosperity in business will enable me without inconvenience, to furnish him with the means of finishing his education. This I have offered, and I think he will accept my offer; so next year you may expect to see both of us.

I had the pleasure, yesterday, of receiving a long and sisterly epistle from A., for which I thank her kindly, and the like of which I hope to receive often from you both. I have nothing new to tell you. I am in excellent health, and right busy I assure you. Our little city is increasing at an amazing rate. We have

had some eight or ten ships directly at this place during the last two months. This morning the brig arrived here, on which G. shipped his baggage at New York. This is the first year ships ever ascended so far up a river--500 or 600 miles. I shall leave G. to act as chronicler of whatever is interesting to him, and with my love to all, bid you "good night."

Your affectionate brother,

SEARGENT.

TO HIS BROTHER WILLIAM, NEW YORK.

VICKSBURG, *November* 16, 1836.

DEAR BROTHER:—

I have been sometime indebted to you for a letter, and I should feel more compunction on that account, were it not that I have so often had you in the same predicament.

G. arrived here some ten days since, in good health and spirits; and I need not tell you how glad I was to see him. He has, with my advice, given up at present the idea of keeping school, and intends to pursue his studies this winter. He is delightfully situated, having been invited by my partner Judge Guion, to spend the winter at his residence, about a mile from town. But he will, I doubt not, tell you more than I can about his situation and views; and, indeed, he has already, I believe, written to you. He appears well pleased with the country, and says that he would not take anything for the advantage he has derived from his travels.

You ask me about my *speculation*, by which I am to make a fortune. It is not in Texas Lands, I assure you. I have as small an opinion of that kind of speculation as you can have. Whether I succeed or not, it is impossible to say. I think, however, I shall; it will be decided this winter. My speculation consists in having purchased an interest in a portion of land in the town of Vicksburg, which is claimed by the town as *Commons*, or public property. I purchased of the original proprietors of the town, and the matter is now pending in a suit, which will be decided by the Supreme Court of the State, this winter.

If I succeed, it will make me wealthy, which I care little about on my own account, but much on account of others. I have never spoken definitely of the subject to the folks at home, because if I am disappointed, I do not wish them to be so.

You must have had a pleasant trip to Maine this summer. I should have rejoiced to have been with you. I shall be next summer, as I am determined at all events to make another visit North, at that time. Pray, write me oftener, and tell me how you are coming on in your business, for I feel much interest in it; and be assured that my own success is the success of all my brothers and sisters. I have nothing new to tell you. The election has just taken place, but the returns are not sufficient to warrant a positive opinion. I think, however, this State has gone for White. My love to you all,

Your affectionate brother,

SEARGENT.

In the preceding chapter allusion has been made to his rides on horseback, while attending the courts in the interior of the State. This may be a proper place to speak of the other mode of travelling, mentioned so often already in his letters, and which formed no unimportant phase of his moving life. We refer, to his journeying on steamboats, particularly upon the Mississippi. From his settlement in Vicksburg until his marriage, no small portion of his time was passed in the floating palaces which enliven the bosom of this majestic river. Aside from the calls of business, there was an excitement and variety in this mode of existence, which agreed well with his disposition. He was generally known on the river; and everybody that did not know him, was anxious to make his acquaintance, or at least to get a glimpse of him. The steamboats between Vicksburg and Natchez were to him little more than ferry-boats, upon which he was perpetually flying to and fro.

It is not surprising, therefore, that he had an affectionate, home-like feeling towards the "Father of Waters,"* or that its grand phenomena, and the strange aspects of human character, upon its busy current, should have made an indelible impression upon his observing and plastic mind. Who, indeed, can sail upon this tremendous flood, for the first time, without a vivid sense of wonder and sublimity? What a mystery seems to enshroud its origin, thousands of miles away amid the eternal snows of the Northwest! What great rivers—Missouri, Ohio, Red, and Arkansas, to say nothing of innumerable lesser streams—hasten to pay it tribute, and to swell its "wealth of waters" as they rush onward to the sea!

But to the eye of a stranger from the North, even the river itself was surpassed in interest by the grotesque and shifting forms of humanity, which, like dissolving views in a panorama, presented themselves in animated succession from New Orleans to the mouth of the Ohio. The following sketches, written by a traveller about this time, depicting scenes in the vicinity of Vicksburg, through which Mr. Prentiss was passing so often, will not, perhaps, be unacceptable to the reader, or be deemed here out of place.

We are now ploughing our noisy way between forest-lined shores of cotton-wood on one side, and cypress, maple, oak and other heavy timber, as the boatmen term it, on the other. The cotton-wood is always found on the concave side of the river,

* According to Mr. Thorpe, this is a poetical, and not the true, rendering of Mississippi. "From the most numerous Indian tribe in the Southwest, the Choctaws, we derive the name. With that tribe, the two simple adjectives, *Missah* and *Sippah*, are used when describing the most familiar things; but these two words—though they are employed thus familiarly when separated—compounded, form the most characteristic name we can get of this wonderful river. *Missah*, literally, 'old big,' *Sippah*, 'strong' OLD-BIG-STRONG; and this name is eminently appropriate to the Mississippi."—*The Hive of the Bee-Hunter*, p. 95.

for here are the constant alluvial deposits, on which, as soon as the water leaves it, the young cotton-tree shoots up in groves, and in two years is ten feet high. A cotton-tree forest will grow to the medium height in ten years. As the force of the current is thrown towards the convex side, that is constantly undermined; but for every foot of soil and every ancient tree that falls into the river, a foot of land and a new tree (cotton however) springs up on the opposite shore. Such is the peculiarity of this great river, on whose banks dissolution and creation are constantly going forward. On the inner or concave side the current is less forcible, and ascending boats, heaving the lead as they go, hug it as closely as is safe, crossing from point to point, as the meandering course of the river alternately changes the concave shore from one side to the other. Vegetation is at least two weeks behind that of New Orleans, and in looking upon the foliage of the trees, we seem to have retrograded that space of time. We have just rounded a bend of the river, which presented features truly magnificent. Close to the water's edge, in the shape of a crescent two miles in length, extended a girdle of cotton-trees, or rather bushes, three feet high and ten feet wide, the growth of the last season, upon the alluvial deposit. A second girdle twice the height of this, and of a dark green, rose behind it, and behind this a third, and then a fourth and so on, rising one above the other, each a darker shade of green, in beautiful order, like the benches of an amphitheatre, till they terminated in the tall forest-line which formed the eighth belt. The sun was shining brightly aslant this striking scene, increasing by the relief of its lights and shadows its natural magnificence. In the absence of other objects to attract his attention, the traveller can often find amusement in sitting on the guards and observing the varied character of the gorgeous old forests through which he is moving. A tree as hoary as time, its huge limbs gnarled and twisted into gigantic knots, its branches (themselves huge trunks in size) flinging their scathed and rugged forms into the air, will sometimes attract his eye, and if he is at all romantic, or a poet, or a sober lover of nature, will delight him and give him food for study,

poetry or meditation. How many stories of past centuries may such an old forest-king relate!

"Say, Druid Oak, canst thou the story tell?"

There is a young lady on board, intellectual, romantic and a beauty, who is ready to go crazy with delight when an old tree, uglier, more gnarled and more picturesque than another, happens to meet her eye: "Oh! what a delightful good old patriarch for a foreground. See how that stern savage monarch flings his arms to the sky, as if in defiance! What majesty in the spread of those limbs; and how gracefully the grey coat of its huge trunk is relieved by the folds of that grape-vine!"

We have just passed several flatboats tied to the shore; the back-water of our paddles made a great commotion among them, and as usual, our deck hands began to laugh at them and they to shout back. "Hand that steamboat here" shouted a flatboatman in a red shirt and blue linsey-wolsey trowsers, "and I'll take take it home for the old woman to make tea in." "Hand me that hand-spike," shouted a little squat fellow with red hair, "and I'll pick my teeth with it." "Stop that boat and let me light my pipe." "Shovel away them niggers, pitch it in," yelled another to the firemen, "or the gentlemen passengers will go without supper." "Let off your steam or you'll all go to the Dickins together." "Shut up that flatboat and I'll give a pic' for it to keep my bacco' in," roared another. When we got too far off for words to be distinguished, the belligerents began to yell, shout, clap their hands, and make all sorts of hideous and unearthly noises; as the increasing distance rendered these indistinct, a pistol was fired in bravado from one of the flatboats and immediately answered by the sharp crack of a rifle from the forward part of our steamer, and then hostilities ceased. There is always amusement when a steamer and a flatboat meet; then Kentucky and Hoosier wit is peculiarly brilliant. The majority of deck passengers on upward-bound boats are often flatboatmen, returning home after disposing of their freight and boats. Jingling their dollars in the faces of those

who are going to market, they brag of bargains and amuse them with extravagant tales of the state of the market, which they call "bamboozling." The appearance of flatboatmen, with their loose, coarse, brown trowsers, red or blue shirts, the sleeves drawn up to the shoulders, their rough, determined looking faces and athletic limbs, is exceedingly picturesque. The life of a flatboatman is an exceedingly laborious one; the boat committed to the current, does not float idly down to its destined port, but the constant exertions of its "hands" are requisite to keep it from almost hourly shipwreck; the current of the Mississippi is always sweeping against one or the other of its shores, and the flatboat, if left to itself, would be dashed against the convex side of every bend—and the whole course of the Mississippi is only a series of bends; therefore, on turning points the utmost vigilance is necessary to work the boat and keep it out from the bank against which the natural direction of the current would carry it. When the wind blows hard against the shore, the utmost exertions of the half dozen muscular men, who form the complement of flatboatmen, cannot always enable them to counteract the force of both wind and current, and many boats are dashed to pieces. From the wrecks which at intervals strew the shores of the river, the proportion of boats wrecked in their descent must be very large. Sometimes, and indeed most usually two boats' crews unite, and with their boats secured side by side, by their united strength are better able to resist the current. The old race of *professional* flatboatmen, the chief of whom, Mike Fink, the elegant pen of Morgan Neville, Esq., has immortalized, is passed away. Flatboatmen now are Western farmers, with their sons and hired laborers, whose lands lie on the river and whose markets are the lower towns of the Mississippi. The Yankee farmer loads his wagon or sleigh and *hauls* his produce to the nearest market town, the Western farmer loads his boat and floats his produce a thousand miles to Vicksburg, Natchez and New Orleans: the Yankee farmer returns home in his empty sleigh or wagon, the the Western farmer sells his substitute for a wagon, his boat, with his produce, and goes back to his farm as deck passenger

on a steamer. I have met with representatives from every farming district of the Ohio and upper Mississippi on the Levee at New Orleans, a hardy, sober, industrious class, little understood and often grossly misrepresented, under the abused term of "Flatboatmen."

The traveller seldom sees steamboats on the Mississippi unless under way. At every landing, however insignificant, flatboats are always to be seen loading and unloading, giving employment to one or two stores and keeping business, at least, alive. Near Princeton a steamboat passed us, and although it was not two-thirds across the river, we were unable to read its name, painted in large letters on the wheel-house, without a spy-glass. This fact will give a Northerner some idea of the breadth of this great river. Shortly afterwards an "ark" floated by. This vessel differs from the flatboat, keelboat and broadhorn, in its construction. A solid, oblong raft of timber, twelve feet wide and fifty or sixty long, is the groundwork. On one end of it is erected of rough boards, a sort of covered pen, for cattle and fowls. On the other side is a rude inclosure roofed like a house, often containing a chimney, and in which the family live. If a farmer from the neighborhood of Pittsburgh or Cincinnati sees a piece of land on the lower Mississippi, in one of his boating expeditions, which pleases him, he returns home, sells out, builds an ark, embarks with his family, and committing himself to the waves, after a voyage of five or six weeks, arrives at his new home, ties his ark to a tree, removes his house, stock and family to dry land, commences chopping down the forest, opens a wood-yard, becomes thrifty, buys negroes, grows rich, and is at last a planter. Many of the first families in the Southwestern country, after travelling to Pittsburg from the Atlantic cities, have committed themselves to an ark and so come to this country. We have passed two of these floating houses to-day. On the last one, was an old grey-headed man and an equally ancient female, comfortably clothed in coarse materials, sunning themselves and smoking their pipes, in the low space left on the bottom of the ark between the dwelling and the stock-pen. A middle-aged stout yeoman in a long-tailed blue jean coat and

snuff-colored trowsers, was standing bareheaded at the long paddle which served as a helm, shading his eyes with his hair as he stared at our passing boat. Two women in caps and coarse but tidy gowns were seated near him on the top of the dwelling (which was the upper deck of the ark) knitting. Half a dozen white-headed urchins were crowded in a low door, straining their eyes at the grand steamboat, and three or four large dogs equally curious, were gazing at us from the top of the cow-pen. A fire burned on the bottom of the ark, between the two habitable divisions; the hearth was a rude pile of brick, with an old stove-pipe for chimney. The pot was boiling and a third female was preparing the evening meal. Two strapping fellows in their shirt-sleeves, working mechanically but idly at an oar, two or three chickens and a proud cock strutting about, a lamb, which appeared licensed to stray from the pen as a pet, the head of a good-natured looking cow protruding from a window, completed the whole. It was altogether so pretty a picture of domestic happiness, that I could not help looking upon it without feelings of envy.

The flatboat is somewhat similar in its construction to the ark, which is the most primitive mode of navigation. The flatboat is made to convey freight. It is a covered shed, five or six feet high, with a bottom sufficiently strong to sustain it, and impervious to water. This shed is covered by a double layer of boards, laid so as to be water-tight, and bent over a ridge-pole running through the centre from stem to stern, so as to form a curve sufficient to shed rain. A portion of the boat at the bows, which are square, is set off for a caboose and sleeping-place for the hands, of which there are usually from four to six. The remainder is filled with freight. Some of these boats will carry from eight to twelve hundred barrels of flour; when light, they draw but six or eight inches, but when loaded, two feet and a half. Some of them are laden altogether with flour, others with horses, others with sheep, or pork alive and in barrels, fowls, cattle and produce of all kinds; some are even freighted with negroes, purchased in Virginia, and embarked at Guyandotte on the Ohio. When flatboats are unladen of their freight, they are

sold for what they will bring, which is from twenty to sixty dollars, and the owners return home for ten dollars on a steamboat. Keelboats are not so commonly seen now as formerly. They are in number about as one to ten compared with flatboats. They are of similar construction to the freighting canal-boat, and used for the same purposes. They are sometimes assisted in descending the river by a square sail, and altogether cut a better figure than the ark or flatboat. Before the introduction of steamboats, the keelboat was the sole medium of river commerce. Leaving its freight in New Orleans, and re-loading with purchased articles (both comforts and luxuries) it was propelled up the Mississippi, with great labor, by poling along the banks of the river, and laying to every night. A voyage from Pittsburg to New Orleans, at that period, often consumed five months. It can now be made in thirty days. The keelboats are now disposed of with their cargoes at New Orleans, being in great demand as oyster barges, for which, with some change, they are admirably fitted. The broadhorn is only a larger and squarer species of flatboat.

The river has been very rough all the afternoon. There is considerable motion to the boat, and two or three fresh-water passengers are complaining of feeling a slight degree of sea-sickness! Sea-sickness on the Mississippi, five hundred miles above its mouth! Nevertheless, the boat rocks, the joints of the cabin creak, the lamps swing from side to side, the wind roars, and the waves show white caps, and we are in the midst of a regular gale of wind. The surface of the country through which we are sailing is for a hundred miles only a few feet above the level of the river, and the wind sweeps over it as it would over a sea.*

Vicksburg, in 1836–7, was a remarkable place. Like so many flourishing towns along the great lakes and rivers of the West, it had sprung into existence as if by magic. The city was younger than half the children who played about

* *Correspondence of the Natchez Courier*, April, 1837.

its streets.* As the shipping point for a rich and rapidly growing cotton region, its business was very large. Capital and population flowed in from every quarter. Magnificent steamers, freighted with the products of our own and distant climes, were perpetually stopping on their way to and from New Orleans, Nashville, St. Louis, Cincinnati, or Louisville; and rarely did an up-river boat arrive without landing one or more passengers in pursuit of fortune. Vicksburg was, in fact, a sort of *rendezvous* for planters, lawyers, physicians, schoolmasters, mechanics, clerks, and merchants, who, in search of business, were emigrating to the Southwest from New England, Virginia, North and South Carolina, Kentucky, Tennessee, and other parts of the Union. In this respect it was a miniature picture of what San Francisco now is in relation to California. The character and manners of these strange men, as they congregated in the hall and dining-room of the principal hotel, furnished study for a philosopher. One skilled in the art of American physiognomy, could detect, at a glance, representatives of every race and tribe, whether foreign or domestic, of our great Republican Family.

At an earlier period of its history, Vicksburg was inhabited chiefly by this class of persons; interspersed with not a few specimens of the genus *blackleg*. But the latter

* Vicksburg is visible nearly ten miles before reaching it, on going up the river. Its situation is highly romantic; it is built on a congregation of hills, which slope abruptly to the water. From the foot of this irregular side to the summit, the dwellings are scattered in the most picturesque manner. The streets parallel with the river rise one above the other, so that the galleries of the houses on one often project over the roofs of those on the other. Cottages in every shape and form, perched on every accessible point on the cliffs, add much to the beauty of the place. The population has doubled within four years. The act which cleared the place of a moral pestilence is, doubtless, a bad precedent—but it was the death-blow to a system of iniquity, which had got to be stronger than the laws. The commercial growth of Vicksburg in the last three years is unprecedented in this region.—*Correspondence of the Natchez Courier*, April, 1837

had been driven off—and the advent of woman had called into being many pleasant and cultivated homes. Churches and schools were not wanting. The place had outgrown the somewhat wild, boisterous temper of its youth, and was settling down into an orderly, social and domestic life.

The years 1835 and 1836 will ever be memorable in the annals of this country, for the spirit of reckless speculation which seized upon all classes in the community, and made them frantic in the pursuit of gain. To how many hundreds of families throughout New England is the phrase *Eastern Land Speculation* still the symbol of pecuniary ruin! The mania spread through the nation; but there were particular points, where it raged with especial violence. One of these was Vicksburg. In the autumn of 1836, strangers, who had scarcely registered their names at the hotel, were eagerly buying city lots; and perhaps the next week, selling them again at an advance of ten, twenty, or thirty per cent. In this way, by mere attendance upon auctions, every man was expecting soon to be master of a fortune. It was a singular infatuation; but the spring nipped it in the bud. Gen. Jackson had laid his strong hand upon the currency, and before the ides of March, the whole monetary system of the country was gasping beneath the pressure of that iron will. There was not a sequestered village or hamlet in the land, which did not feel its touch—while the great commercial centres were convulsed with terror, distress and bankruptcy. In April, 1837, cotton was selling in New York at nine and a half cents per pound, which in December of the previous year, had been sold for nineteen cents per pound. No State in the Union was a greater sufferer than Mississippi, and perhaps no town in the State was so sorely smitten as Vicksburg. The sudden and extraordinary fall of cotton deprived the State of nearly two-thirds of its expected income; while lands and lots about

Vicksburg, which, in October, were bought with avidity at the most extravagant rates, found, in April following, no bidder, at a reduction of two and even three hundred per cent. The stranger who came in the autumn and departed in the spring, could, with difficulty, believe that he had visited, and was leaving, one and the same place.

CHAPTER VIII.

Adjourned Session of the Legislature—Mr. Prentiss' Speech on the Question of admitting the Delegates from the New Counties—Protest against their Admission—Resigns his seat.

ÆT. 28. 1837.

EARLY in January 1837, the Legislature met pursuant to adjournment. One of the first acts of the House of Representatives was to admit as a component part of the body, ten persons claiming to represent certain new counties, which had been created at the previous session of the same Legislature. It is a curious instance of the facilty with which a Constitution may be set at naught, when the majority choose to do it. The act, however, was not accomplished without vigorous opposition, and a clear prediction of the consequences which were likely to ensue. One of Mr. Prentiss's speeches on the question, is fortunately preserved, and a better tribute could not be desired to the high-toned principle, the reverence for Law and Constitution, which actuated his public life. We give the larger portion of this speech. Some passages are strikingly prophetic of coming events in the political history of Mississippi :—

I had hoped, Mr. Speaker, when the gentleman from Adams introduced the resolution which has just been read, that the task of opposing it would have been assumed by some one more able than myself. Had this been the case, I might have been

contented with a mere vote. But, viewing this resolution in the light I do, I should violate every sense of duty, where I to remain silent because others will not speak. Sir, the gentleman from Adams seems to think that the resolution is a matter of course, and ought to pass *sub silentio*. I differ from the gentleman. He cannot so easily introduce his Trojan horse within these walls. I, for one, will hurl a spear against its hollow sides.

Sir, I look upon this resolution as a bomb-shell thrown into this house. The gentleman from Adams has lighted the match, and if this house do not extinguish it—if the heel of the majority be not placed upon it—there will be left by its explosion no vestige of constitution or law. It may appear to the common eye as a little cloud, no larger than a man's hand, but the political prophet will behold in it the ingredients of a tempest.

I know I labor under many difficulties in opposing it. Popular opinion is in favor of it—the gentleman has the wind full in his sails—while I must row against an adverse current. I trust, however, the very fact that the course I am taking is one upon which the public eye will scowl, may afford a guarantee for the honesty of my motives. I know well it will be said that I am the enemy of the new counties—that I am hostile to the rights of the people—that I am opposed to democratic principles, and other similar assertions, by which demagogues answer arguments.—Sir, I throw down, in advance, my denial to such charges. No man in this State feels a livelier interest in the prosperity of the new counties than I do. No man has watched with greater pleasure their rapid increase in wealth, population and power; and did not my oath to support the constitution stand in my way, no man would welcome their delegation upon this floor with a warmer greeting.

But, sir, I have high constitutional duty before me, from the performance of which I will not be deterred by either fear or favor—by what has been said of others, or what may be said of myself.

I am opposed to the resolution introduced by the gentleman from Adams, on two grounds.

First—That, under the constitution, the counties embraced in the resolution have not a right, as counties, to representation in this house, at this session.

Secondly—That, even if they have the right of representation, the persons claiming seats as representatives from those counties, have not been constitutionally elected.

We will proceed, then, in the first place, to examine the right of the new counties to representation at this session of the legislature. I start with this proposition—that the right of representation must be derived from the constitution, and the laws made in pursuance thereof. Gentlemen have talked of the natural right of representation as if it were something existing beyond, and independent of, the constitution. Will gentlemen be so good as to explain to me what they mean by the term? I understand the right of representation to be merely a conventional right. It has its origin solely in the constitution. It is entirely the creature of compact. By the constitutions of some States, it is based upon property and population combined, in others, upon population alone. A natural right of representation is an absurdity.

Let us, then, look into the constitution of this State, and see what are its provisions in relation to representation.

The first great principle is, that it is based upon free white population alone. Property, by our constitution, cannot be represented.

The next provision relates to the mode in which this general right of representation shall be exercised. If the right existed only in general terms, without any mode pointing out how it should be apportioned or exercised, it would be perfectly nugatory. How could a general provision, giving the right of representation to all the free white population of the State, be carried into effect, unless there was also a provision parcelling it out to different portions of the community, and directing the mode of its exercise? A constitution, having no such provision, would be still-born. It would have no vitality. No government could be set agoing under it. Our constitution, however, is not obnoxious to these remarks. It contains within itself ample

provisions for enabling the people to avail themselves of their general right of representation. The convention which framed the instrument, provided, in the 5th section of the schedule, for the first legislature or representative body, specifically directing how the election should be conducted; and mark you, Mr. Speaker, especially directing that writs of election should be issued by the president of the convention. The 6th clause of the same schedule says: "Until the first enumeration shall be made, as directed by this constitution, the apportionment of senators and repesentatives among the several districts and counties in this State shall remain as at present fixed by law." Let us examine for a moment, what limitations there were to the powers of the first legislature, in relation to its organization—for it will throw some light upon the main question in controversy. Could that legislature, before an enumeration, even by a joint action of both houses, have increased, at that session, the number of senators or representatives beyond the number and apportionment which by law then existed? Has not the 6th section of the schedule, above cited, positively fixed the number of senators and representatives in the first legislature, and apportioned them according to the then existing law? Is not this 6th section a constitutional organization of the first legislature, as to numbers and apportionment? Would not the admission of an additional number of persons into either branch, before an enumeration had taken place, have been a violation of that section of the schedule, and a disorganization of that body? In other words, is not a change of constitutional organization disorganization?

Now let us advance a step further, and see how the present legislature came into existence, and what are the powers of its respective branches. Every legislature, after the first, must claim its constitutional origin from the 9th and 10th sections of the 3d article of the constitution, which are as follows:

Sec. 9. "The legislature shall, at their first session, and at periods of not less than every four, nor more than every six years, until the year 1845, and thereafter at periods of not less than four, nor more than every eight years, cause an enumeration to be made of all the free white inhabitants of this State, and the

whole number of representatives shall, at the several periods of making such enumerations, be fixed by the legislature, and apportioned among the several counties, cities or towns entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six nor more than one hundred; provided, however, that each county shall always be entitled to at least one representative."

SEC. 10. "The whole number of senators shall, at the several periods of making the enumeration before mentioned, be fixed by the legislature and apportioned among the several districts, to be established by law, according to the number of free white inhabitants in each, and shall never be less than one-fourth, nor more than one-third, of the whole number of representatives."

Here are the two sections of the constitution under which the present legislature was organized, so far as the number of the senators and representatives is concerned.

When this session of the legislature commenced, on the first of January, 1836, each senator came from a district to which the right of senatorial representation had been previously apportioned by law, and every representative took his seat by virtue of a law of apportionment giving to that portion of the country which he claimed to represent a right to that amount or portion of representation. Did not the legislature of the State of Mississippi, at the commencement of this session, to wit: on the first of January, 1836, comprise the whole representative power of the government under the constitution? and was not the whole free white population of this State represented, at that time, upon this floor? The number of the house of representatives was sixty-four, which number had been fixed by an act of the legislature, passed in December, 1833; and that number was, by said act, apportioned, in pursuance of the 9th section of the 3d article of the constitution, among the several counties of the State—there being, it seems, at that time, no cities or towns entitled to separate representation.

Now, the gentlemen who have advocated this resolution admit, that on the first day of this session, this house consisted constitutionally of sixty-four members only, which sixty-four

members represented all the free white population of the State. In other words, they admit that the same free white inhabitants, who now claim an addition of ten members, were, at the commencement of this session, fully and constitutionally represented on this floor. Has any vacancy occurred in the representation which they then had? I see my friend from Washington county in his seat. Whom did he represent at the commencement of this session? Every one knows that he represented the whole of the free white inhabitants of that section of country which now composes the counties of Washington, Bolivar and Koahoma. Does he still represent them? No one will doubt his capacity to do so. I do not doubt his right. For what period of time was this power delegated to him? The constitution says for two years. Has that time yet elapsed? It has not. Yet I see in this resolution a proposition to admit another member upon this floor, to represent the free white inhabitants of the county of Bolivar. Now I hold that two men cannot at the same time constitutionally occupy the same office. Either my friend from Washington is no longer the representative of the free white inhabitants living in the county of Bolivar, who sent him here, or the gentleman claiming to represent the same people has no right to represent them. The electors living in the county of Bolivar have once voted for a representative in this session of the legislature. He is here, and has not resigned any portion of the power delegated to him. I know of no constitutional right which the people of the county of Bolivar have to resume the power which they have delegated, before the lapse of the two years for which they have delegated it. I have instanced the county of Bolivar merely by way of illustration; the same observations will apply to the others.

At the commencement of this session, this legislature created thirteen new counties, and shortly after adjourned over to this winter. This adjournment was nothing more than an adjournment from day to day. We met here on the first Monday in January, 1837—the same body precisely in our constitutional organization as we were on first of January, 1836. We have, with those who have been elected to fill vacancies, sixty-four

members. Our body is already full, and contains the whole representative power of the government which belongs to a house of representatives. How, then, can we admit ten additional persons, as members, without parting with a portion of the power belonging to us? Have we a right to part with it? Can we give up to others a portion of our delegated power? If so, cannot we give up the whole? Can a legislative department of the government act by proxy? It is said that each branch of the legislature has the right to judge of its own organization; and that, from the necessity of the case, this house has the right to decide whether the new counties are entitled to representation. I deny that this house has, either under the constitution or from necessity, any jurisdiction over this matter. I lay down two propositions, and challenge their refutation.

1st. That, where the constitution has given to any department of government the jurisdiction over a matter, and that department has, in pursuance of that jurisdiction, acted and finally decided upon such matter, no other department, or portion of a department, can revise or change such action and decision, unless the constitution expressly authorizes such revision.

2d. One branch of the legislature of this State has no power to repeal or alter a law, constitutionally passed by the whole legislature.

Now, I assert that the question of the number of this house, at this session, as well as the question of what counties members shall come from, has been acted upon and decided by a department of this government, to which the constitution has given full and exclusive jurisdiction to decide upon the matter; and that, consequently, we have no right to meddle with it. I further assert, that our action cannot make these gentlemen members, unless this house has the power, by a simple resolution, to repeal an act of the legislature constitutionally passed.

The 9th clause of the 3d article of the constitution, just read, expressly gives to the legislature the power and jurisdiction, at periods of not less than four, nor more than six years, of fixing the number of representatives who shall compose the represen-

tative body, until the next period of enumeration; and also to apportion such number among the counties, cities and towns entitled to separate representation. The legislature in December, 1833, did, under this clause, fix the number of representatives, until the next enumeration period, at sixty-four, which number they apportioned among the different counties. Was this law, when passed, constitutional? If so, when did it become unconstitutional? If it is still a constitutional law, what right has this house, by a mere resolution, to change or repeal it? That act of the legislature fixed the number of this house, for the present session, at sixty-four. If we make that number seventy-four, is not this house assuming a power given by the constitution to the whole legislature only? And is not this house changing, by simple resolution, a constitutional law? Again, by claiming the right to judge in this matter, we deprive the senate of a portion of their constitutional power. The senate has as much power, under the constitution, to change the number and apportionment of the house of representatives as the house itself. Yet does any man doubt that a resolution of the senate, increasing our body by the addition of ten members, would be a nullity? But the constitution has not intrusted to either body the power of judging of how many members it shall consist, or from what districts, counties, cities or towns they shall come. This power is given to the legislature, and that, too, with the limitation that it cannot be exercised oftener than once in four years. The conclusion, to which this reasoning brings my mind, is, that neither branch of the legislature has the power to change its organization as fixed by law, either in regard to the number of members which shall constitute the body, or the right of representation from any particular portion of territory.

Our attempt to act alone in this matter is clearly an infringement upon the constitutional right of the senate to partake in such action; and if that body view the matter as I do, they will, upon the passage of this resolution, and the increase of our number to seventy-four, be bound not to recognize us as a constitutional body. The senate, in 1833, assisted in the organiza-

tion of this house, as did the house in the organization of the senate, so far as numbers and apportionment are concerned. Each of these bodies is, therefore, not only presumed, but compelled, to know what the constitutional organization of the other is, in these two respects. It necessarily follows that each body is bound to notice when the other becomes disorganized and unconstitutional.

There are some matters, in relation to the organization of this house, of which we are the sole judges, and which, after our decision thereupon, cannot, of course, be noticed by any other department. Thus, the constitution makes "each house the judge of the qualification and election of its own members." But it is clear that there must be, in the first instance, a right of membership, before any question can legitimately arise on the subject of qualification or election.

The jurisdiction over the subject of qualifications and mode of election is not a jurisdiction over the subject of the right of representation. It seems to me, the conclusion is irresistible that the organization of this house, so far as members and apportionment are concerned, belongs constitutionally to the whole legislature, and that the further organization, as to questions of qualification and election, belongs exclusively to the house. If this conclusion is correct, the resolution of the gentleman from Adams is in direct violation of constitution and law; and, if carried into effect, will disorganize and destroy this body. But, the gentlemen say, there is, in the constitution, an express clause giving to each county, the moment it is created, a right to at least one representative. As this is the only argument in favor of this addition to our numbers, which professes to be drawn from the constitution, I will examine and test its force. I believe, however, Mr. Speaker, I am mistaken in saying it is the only argument drawn from that source. The gentleman from Adams has commenced one upon what he calls the corner-stone of the constitution, to wit: the first clause of the Bill of Rights, which declares that all men are free and equal. In what manner the gentleman will bring this to bear on the question under discussion, I confess I am at a loss to know. I should imagine, how-

ever, that, upon so broad a foundation, it would require much labor and long time to erect an argument. But to return: even if there was, in the constitution, an express provision giving to each county, the moment it is created, a right of immediate representation, still the house has no power to act in the matter without the concurrence of the senate. It requires a legislative act to change the number previously fixed by law. But I deny there is any such clause in the constitution as the one alluded to. I wish to be distinctly understood. I deny that there is any provision in the constitution which gives always, to each county, at least one representative. The words which have been so often, and so triumphantly, used in this debate, as giving to each county a right of representation at the moment of its creation, constitute a small portion of a sentence, and instead of being a substantial provision, asserting a positive right, compose but a proviso, directing and limiting the power of the legislature, given in the previous part of the sentence. The words as used in argument, are, "Provided, however, that each county shall be entitled to at least one representative." Now this is a proviso; and the only way to ascertain its meaning is to look at the previous portion of the clause, and see to what it applies.

A proviso is a limitation of that which precedes it. It is not a substantive provision; it has no force or meaning except when taken in connection with the subject matter which it limits and to which it relates. What does this proviso limit, and to what does it relate? I answer, unhesitatingly, that it limits and relates to the previous portion of the ninth section of the third article of the constitution, to which it is attached. What, then, is the previous portion of the ninth section? It is composed solely of directions to the legislature, on the subject of enumeration, and the fixing and apportionment of representation. This clause of the constitution does not assert anything of itself to which the proviso can attach: it is entirely directory. If it be not a limitation upon the action of the legislature, which is the subject matter of the section, to what is it a limitation? To test this, let us throw out of the section all the direction to the

legislature, and see whether there is anything left to support a proviso. There is not a word of the clause left. This proviso, then, is a limitation of the action of the legislature, or it is a limitation of nothing. If, then, it is a limitation of the action of the legislature, as directed in the previous part of the section, it can only operate as a limitation upon the powers of the legislature when that body proceeds to perform the acts which this section directs to be performed. The proviso is dormant until the action of the legislature arouses it. When the legislature, under this section, causes an enumeration to be made, it must then proceed to fix the number of representatives; and, having fixed the number, the legislature is directed to apportion that number "among the several counties, cities or towns, entitled to separate representation, according to the number of free white inhabitants in each; and the number shall not be less than thirty-six, nor more than one hundred."

Here is a limitation of the numbers. Is there no limitation of the power of the legislature in apportioning this number? There is. It is limited by this proviso: "Provided, however, that each county shall always be entitled (by such apportionment) to at least one representative." If this view of the subject is correct, then this proviso, which has been the watch-word of the friends of the resolution, emblazoned upon the banner under which they have fought, will turn out to be nothing more than limitation of the power of the legislature, binding that body, whenever it makes an apportionment, "always to give to each county, in such apportionment, at least one representative." Great stress has been placed by gentlemen upon the word "always." I do not perceive the force of their argument on this point. If my construction of this clause is correct, the word "always" relates to the time of apportionment. Each county shall "always," when the apportionment takes place, be entitled to at least one representative in such apportionment.

The creation or formation of new counties, by the legislature, is not direction in that section, to which the proviso, which I have been discussing, is attached. If, then, my previous argument is sound, the creation of a new county does not give it a

right of representation until the time for a new apportionment comes round. Since the counties embraced in this resolution were created, there has been no enumeration, and no new apportionment of representatives; the constitutional period for that action of the legislature not having yet arrived. I am, therefore, forced to the conclusion that these new counties are not constitutionally entitled, as counties, to representation on this floor.

All those who have spoken in favor of the resolution, except the gentleman from Hinds (Mr. Dunlap), have predicated the claim of the new counties to representation, at the same session in which they were created, upon the proviso to the ninth section of the third article of the constitution. His decision on this subject is based upon a different reason, which I shall make bold to notice, not because I deem it of any weight, but because, to my utter astonishment, it seemed to have some influence upon the house. The gentleman from Hinds tells us, that no question of constitutional or legal construction has ever embarrassed him so much; that, after the most mature deliberation, he came to the conclusion that the new counties had not a right of representation in this session of the legislature. He says, that he has expressed this opinion, in public and private; that it is recorded in his letters to his friends, and has been published to the world.

The gentleman further told us, that, if the question had been taken yesterday, he should have voted against the resolution; but that, to-day, he is prepared to part with the cherished opinions of a year, and accede to the claim of the new counties, to which claim he had so long been opposed.

It seems that since last night a change has come over the spirit of his dream; the scales have fallen from his eyes; and a new light has burst upon his path, which shows him that he has been walking in the ways of error. But I will not part with him so easily. We have travelled together so long and lovingly in this matter, that I must at least keep some memento of our companionship. Well, then, Mr. Speaker, as I have lost the benefit of the gentleman's vote on the side which I advocate, I will retain his opinion. Though the prophet has

been taken from me, I will hold fast his mantle, and thereby, perchance, I may obtain some of the inspiration. The gentleman's opinion against the resolution was deliberately formed, and continued till last night. His opinions in favor of the resolution have been formed in a hurry, and are but a few hours old. On which side, Mr. Speaker, would you consider the weight of the gentleman's opinions to lie? But I should do him injustice not to examine the reason upon which he has based this sudden change. When the gentleman from Hinds informed the House of his change of opinion, and that he intended to give the reasons, I listened with open ears.

I strove in vain to imagine what could be the worm which had thus, in a single night, eaten away the root of the gourd; the gourd which, for a year, had grown and flourished and waxed mighty, until many people were refreshed beneath its protecting shelter. Yesterday it was green and beautiful, and the stricken prophet reclined with joy beneath its umbrage. But lo! to-day it is withered, and the hot sun beats, unchecked, through its leafless branches. The gentleman's reasons were few, but, unlike the Sibylline leaves, they did not increase in value as they diminished in number. Indeed, if I understood aright, he gave no reason for his change, but only a precedent; not an argument, but only an analogy. He says he changed his deliberate opinion upon this subject within the last twenty-four hours, by reflecting upon the State of Arkansas, and the admission of her members upon the floor of Congress. He seems to think it similar to the case before this house; and, if I understand the mode of his argument, it is this: A law passed last winter, in Congress, making Arkansas a State. A law, also, passed this legislature last winter, creating the new counties. The senators and representative from Arkansas have taken their seats at the present session of Congress; therefore, the new counties are entitled each to an additional member on this floor. I remember but one piece of logic which can equal that of the gentleman from Hinds. It is to be found in the reasoning of the honest Welshman who attempted to prove that Harry of Monmouth was like Alexander the Great. "*There is a river in*

Macedon; and there is also, moreover, a river at Monmouth. It is called Wye at Monmouth, but it is out of my prains what is the name of the other river; but tis all one—'tis so like as my fingers is to my fingers, and there is salmons in both."

It is a pity that Arkansas came into the Union just at this period. Had she put it off yet a little while, this exercuciating analogy would not have existed; this overwhelming argument would not have been made; the gentleman's original opinion would have lasted a day longer, and I should have had the pleasure of his countenance in the vote I am about to give. Will the gentleman permit me to say, that my intellect is too obtuse to understand the force of his illustration. My faculties are too opaque to admit the light which so brilliantly illuminates his mind on this subject.

I have attempted to show, in the previous portion of my argument, that the free white inhabitants of the new counties were, at their creation, and now are, fully and constitutionally represented on this floor. Will the gentleman from Hinds be so good as to inform me whether Arkansas had, before the admission of her present members, any representatives in Congress?

The gentleman has shown us in what point the two cases are analogous. I will show him where they differ: The inhabitants of Arkansas, when it became a State, had no representative whatever, in either house of Congress. The inhabitants of the new counties are already represented in this legislature.

The senators from Arkansas were elected under a positive provision of the constitution, and one representative was given, or apportioned to it, by the very law which made it a State. The persons claiming seats from the new counties were not elected under any clause of our constitution, nor did the law creating these counties give them any right to representation. The representative from Arkansas was, I presume, elected according to the forms prescribed by the constitution and laws. So were not the persons from the new counties who claim seats here. The Arkansas delegation did not go into Congress at the same session in which the State was created.

In the present case, admission is sought at the same session at which the counties seeking it were framed. In conclusion, permit me to say, there is no more similarity between the relations which a State bears towards the Federal Government and that which a county bears towards the State, than there is between the opinion which the gentleman has expressed to-day and the one which he entertained yesterday.

I have given the gentleman's Arkansas argument more attention perhaps, than it was entitled to. My excuse must be, that, as far as I could understand, it was the only one he professed to offer.

He has, it is true, advanced certain abstract propositions—such for instance, as "that the people ought not to be deprived of their rights,"—and others of a similar character, which I dare not deny; and indeed, as they appear to be of a very reasonable import, and altogether democratic, I believe I am willing to admit them.

The gentleman has also spoken very harshly of the constitution. He denounces it, in no measured terms, as the offspring of ignorance and democracy. Aye, Mr. Speaker, the gentleman from Hinds says this constitution is too democratic. I agree with him. I am one of those who opposed its adoption. Last winter, upon this very floor, I advocated the call of a convention to change it. It has not, however, yet been changed; and so long as it is the constitution, I have sworn to support it. Aye, sir, I, who have so long been considered its enemy, now stand by it in the hour of its utmost extremity. I call upon its friends to rally to its rescue—for its danger is great, and its peril imminent. I see some of them who respond not to the call. Though they profess to be its friends, yet, Judas like, they betray it with a kiss. But the gentleman from Hinds says it is too democratic. Sir, when he discharged this gun, was he aware of the recoil? If this constitution is too democratic, how democratic must he be who is willing to violate so many of its provisions, to carry a popular measure? Sir, this too democratic constitution is rank federalism compared with some of the doctrines advanced by the gentleman from Hinds.

But enough of this; I have given my views and arguments upon the right of the new counties to the representation which they claim, and have attempted to answer the prominent objections which have been urged on the other side. If my answer has been meagre, let it be attributed to the paucity of the materials furnished by the friends of the resolution.

And now, Mr. Speaker, if I am right in the conclusion to which I have arrived in relation to this matter, and these gentlemen are permitted to take their seats as members, and participate in the action of this house, what will be the effect upon our proceedings? I unhesitatingly answer that it will render the whole of our proceedings null and void, and I will proceed to demonstrate it. It will be admitted that if this house is now the constitutional house of representatives, and if it cannot constitutionally consist of more than sixty-four members, then a body of men purporting to be the house of representatives but consisting of seventy-four members, cannot be the constitutional house of representatives. Again: if, under the constitution, this house must consist of members from certain counties, cities and towns, then a body of men coming as members from other counties, cities and towns, cannot compose a constitutional house of representatives, even though they claim and purport to be so. I will illustrate the proposition. The High Court of Errors and Appeals is limited by our constitution to three judges, and no law, decision or action of that or any other department of the government could increase that number. Should ten persons, including the old constitutional judges, purport and declare themselves to be the High Court of Errors and Appeals, and attempt to act officially as such, would the decision of such unconstitutional and pretended court be binding, either upon the citizens or any other department of the government? And would it not be the duty of every other department to refuse to notice, as a co-ordinate department, such unconstitutional and disorganized court, whenever the acts of such pretended court should come officially before them? Suppose the number of judges who should compose the High Court of Errors and Appeals had not been fixed by the constitution, but had

been left to the legislative action, and that the legislature had, by a constitutional law, fixed the number at three; suppose such constitutional court, claiming the right as a co-ordinate department of the government to organize itself as it pleased, should increase the number to ten, would not the result be the same? Would not the action and decisions of such disorganized body be entirely void? Would any other department notice it, or admit the validity of its proceedings? Now, I have attempted to show that the constitution gave to the legislature of 1833 the jurisdiction and power to fix the number of this house of representatives, and to say what counties, cities or towns should be entitled to send them. I have further attempted to show that the legislature of 1833 did, in pursuance of this constitutional power, fix the number of representatives, in this session, at sixty-four; and did, in the exercise of the same power, designate and point out the counties which should send these sixty-four members. I have further attempted to prove that the creation of a county does not necessarily give an immediate right of representation, and that such right does not attach until the regular time for a new apportionment comes round. If I have succeeded in proving these three points, then I have proved that this house cannot constitutionally consist of seventy-four members—ten of whom come from counties not entitled to separate representation, either by the constitution or any law passed in pursuance thereof. If, then, we adopt the resolution before us, we make this house to consist of seventy-four members, ten of whom will represent counties not entitled, under the constitution, at this time, to any separate representation. This body will not, then, be the constitutional house of representatives; and, if not the constitutional house of representatives, it will not be a department or any portion of a department of this government.

But, say the gentlemen, how is this fact to be ascertained? This house is now admitted to be a constitutional body. If we admit these persons as members, who can inquire into our action? I answer, the judiciary. Whenever an act, purporting upon this fact to be a law, is contested before any court, the

journals of both or either branch of the legislature may be adduced before such court to show that it is not a law.

Each branch of the legislature is required by the constitution to keep a journal of its proceedings. These journals are the highest evidence known to the law of the land of the action of the two houses. Even in Great Britain, where they have no written constitution, the journals of either house of parliament are considered by the courts as public records, and are received as the highest evidence of the action of that body, whenever such action becomes the subject of judicial investigation. Such is the law as laid down in all the books on evidence; and such is the law as derived from the rules of common sense. For what, I will ask, is higher or better proof of the action of a legislative body than the journal of its proceedings, which, by the constitution, it is bound to keep and publish. I will mention one or two instances, in which, from necessity, the courts must look into the journals of a legislative body, and a denial of which right would involve an absurdity.

By an express provision of our constitution, all revenue bills must originate in this house; and a revenue bill originating in the senate, though passed with all the legislative forms, would not be law. But no law shows upon its face in which house it originated. If, then, a law raising revenue was contested in the courts on the ground that it originated in the senate, how is the court to ascertain whether the objection is founded in fact? Most assuredly by looking into the journals of the proceedings of each house, which are not only the best, but the sole, evidence of the fact, unless you admit parol evidence. If upon looking into the journals of the two houses, it should appear that such law was originated in the senate, would not the court have jurisdiction, and be bound to pronounce it unconstitutional? Again: the constitution says, in the 23d sec. of the 3d article, that "no bill shall have the force of a law until, on three several days, it be read in each house, and free discussion be allowed thereon, unless four-fifths of the house, in which the bill shall be pending, may deem it expedient to dispense with this rule." Now, no law shows upon its face whether this constitutional

rule and limitation upon the power of the legislature has or has not been complied with. Suppose a bill pass in open violation of this constitutional provision, forced through upon a single reading, by a bare majority, will any man pretend to say it shall have the force of a law when the constitution declares it shall not? I contest such pretended law in the courts, on the ground that it was not on three several days read in each house, and that the rule was not dispensed with by four-fifths of either house. How am I to show this? The journals of the two houses are the only evidence of the fact. Can any lawyer, or any man of common sense, say that I have a right to contest the constitutionality of a law, and yet have no right to avail myself of the only evidence in existence of its unconstitutionality, and that evidence too, of so high and sacred a character that its preservation is provided for in the constitution itself? Such a proposition would be too absurd to require a refutation. I take it, then, to be perfectly clear, that whenever what purports to be a law upon its face is contested in the courts, the party contesting it may show by the journals of the legislature, by which it purports to have been passed, that it never was constitutionally passed, and is, in point of fact, no law. Now, suppose I contest the validity of a pretended law, on the ground that it never passed through any house of representatives at all. It will be admitted, I presume, that the senate and governor cannot make a law, and that, without the concurrent action of a house of representatives, a pretended law would be null and void. Now, I deny that the body professing to be the house of representatives, and assisting in the enactment of the pretended law in controversy, was a house of representatives. I have already shown that I can introduce the journals to prove that a law has been passed in violation of the constitution. I offer the same journals to prove that the body which passed the law was not a department of government at all; that it was a body unknown to the constitution, and that it had falsely assumed the name of a branch of the legislature. If all these facts appeared upon the face of the journals of said body, would not the court be bound to pronounce its action void, and not bind-

ing upon either the citizens or any department of the government? Let us then bring the argument down to the action of this body. If we admit this delegation from the new counties, our journals will then show upon their face, that this body consisted of seventy-four members, ten of whom represented counties which, if my previous positions were correct, are not entitled, at this time, to any further representation. This, according to my argument, would be clearly a body unknown to the constitution, and incapable of partaking in the enactment of a law. If, then, the courts can look into the journals of this body, and it shall appear to them, upon the face of such journals, that this was not a constitutional house of representatives, will they not be bound to say its action is not law? The recognition of it by the senate and the governor can in no wise alter the matter. The courts will, undoubtedly, have the same right as the senate or the governor to decide, when the action of this body comes legally before them, whether it is the action of a department of the government or not. Indeed, every department of the government necessarily has the right, when what purports to be the action of another department comes before it, to decide whether such action is, in point of fact, the action of such other department. If I am right in these three positions:—first, that the new counties are not entitled to representation at this session—secondly, that this house has no jurisdiction, or right to admit them—and, thirdly, that the courts, if our action is contested, have the power to look into our journals to see if we are the house of representatives—then the conclusion is inevitable, that, if we admit them, all our acts will be pronounced void by the judiciary, whenever they are legally controverted. Sir, I have not the slightest doubt that this will be the inevitable result, should the resolution be adopted. Nor will the evil stop here. Not only will this legislature be vitiated, but every succeeding one. We cannot pass an Enumeration Law, nor an Apportionment Law. We can make no provision, under the constitution, for the future legislation. This resolution is the poisoned shirt of Nessus. If we once put it on, the strength of Hercules will not suffice to tear it from our limbs—

its baneful power no medicine can control—and in the dying agonies of the constitution and laws, the people will curse the officious hand which extended to them the deceitful and fatal gift.

I have attempted to prove that these counties have no right to the representation which they claim. I will now proceed to the second branch of the argument, and endeavor to prove that the persons claiming seats have not been constitutionally elected. No writs of election were issued by the governor. These gentlemen, however, claim to be elected by virtue of writs issued by the boards of county police of their respective counties.

Now, there are but two kinds of election for representatives recognized in the constitution. One is the general biennial election; the other is to fill vacancies. These gentlemen do not claim to have been elected at the general election, for that took place in November, 1835, and cannot occur again until November, 1837. But they say they were elected to fill vacancies, on the ground that the moment a county is created, the office of representatives is created: and that, whenever an office is without an incumbent, a vacancy happens. For the sake of argument admit it, and let us see if they be constitutionally elected to fill vacancies. The 18th section of the 3d article of the constitution provides, that "Whenever vacancies happen in either house, the governor, or the person exercising the powers of the governor, shall issue writs of election to fill such vacancies." Now, as I have already stated, no writs of election were issued by the governor. I have asserted that the right of representation is merely a conventional right. I also lay it down as a clear principle, that all conventional rights must be exercised in the mode prescribed in the compact, by virtue of which the right is claimed. In other words, the mode in which a mere conventional right shall be exercised is as substantial a part of a compact or agreement as the right itself, and is indeed a part of the right. The constitution of this State does not give a general right of representation, to be exercised in any way which the people may choose, but only the right of representation, to be exercised in the particular modes prescribed, in part, by the

constitution, and in part by laws made in pursuance thereof. As a part of the mode of exercising the right of representation in filling a vacancy, a writ from the governor is requisite, by virtue of the clause of the constitution just quoted. This writ of election is as essentially necessary in the exercise of the right of filling a vacancy, as a writ from a court in collecting a judgment. I have under the constitution, a general right to apply to the courts of justice, but I must apply in the mode prescribed by the constitution and laws. A man owes me a debt—I go into a court and loudly demand a judgment for my money. The judge will say; Sir, you undoubtedly have a right to a judgment against your debtor, but you must avail yourself of that right according to the mode prescribed by the laws of the land—go and commence your suit in the proper form, and then you shall have justice. I take his advice—commence regular proceedings, and obtain a judgment. I now demand of the sheriff to make the the money—to sell my debtor's goods. The sheriff answers; Sir, you undoubtedly have a right to have your debtor's property sold, but not in any way you may please to exercise it. To avail yourself of that right, you must first obtain a writ from the court, directed to me, and commanding me to sell—you have no right to have the property sold without a writ—that is the mode in which you must exercise your right. The refusal of the governor to issue a writ does not alter the case, nor authorize the filling of vacancies without them, any more than the refusal of a court or clerk to issue a writ would justify the sheriff in proceeding without it. But it is said, this is mere matter of form, and to get at the substance you are justified in violating forms. Sir, I do not know what gentlemen mean by the forms of the constitution, or what right they have to say that one part is not as substantial as another. Did gentlemen, when they took an oath to support the constitution, make a mental reservation, that they might violate its forms? What is the criterion, and who is to be judge of what is form and what substance? If what is form can be violated with impunity, I fear the instrument will soon share the fate of the painting which the artist requested his friends to criticise. They all

pronounced it beautiful, a *chef d'œuvre* of the art. He then requested that each one would take a pencil, and strike from it such portion as he deemed objectionable. They did so, and the mortified artist found no vestige of his picture remaining. But it is said, again, this is but a small irregularity, a slight violation, and ought not to be considered of importance.

Sir, a single brick may be stolen from a building without much apparent injury to the edifice, but let the example of the first robber be followed by others, and presently the whole fabric will tumble to ruins. It is from such small and apparently insignificant attacks that governments and constitutions fall. A leak no larger than a spearhead, will sink the most gallant ship that ever swam the ocean. A crevasse may be made, even by a reptile, which will let in the waters of the Mississippi, till whole counties are inundated. When men's liberties are directly attacked by open force, there is but little to fear. They see their danger and meet it boldly. But when under pretense of a popular measure, under the disguise of friendship for the people, a blow is struck at the constitution of the country, then is the time for alarm. From open enemies the people can always defend themselves—to treacherous friends they fall an easy pray.

With regard to the point under discussion, most of the gentlemen who have advocated the resolution admit that the mode of election has been irregular and unconstitutional. The gentleman from Adams, however, has taken one ground, which he has defended in so wandering and desultory a manner that I hardly know whether it is worth my while to dislodge him. The position seems to be a sort of block-house, in advance of his main battle-ground, which he alternately occupies and deserts. It is this: the boards of county police have, by the constitution, power to fill vacancies in county offices. It has shrewdly occurred to the gentleman that, inasmuch as a representative is elected in a county, he is a county officer—and, of course, that a vacancy in the office can be filled by order of the board of county police. At least the gentleman says it is a matter of great doubt whether such be not the case. He sits upon the point like a bird upon a rotten twig, with pinions half spread, ready to fly the

moment it gives way beneath him. But let us see whether a representative is a county officer. I understand a county office to be one in which the duties appertaining thereto are exercised within the county to which the office pertains, and the exercise of which does not operate upon or bind other counties; in other words, where the jurisdiction attached to the office does not extend beyond the limits of the county within which it is created. Thus, a sheriff, a judge of probate, a clerk of a circuit or orphans' court, are all county officers—because the duties and powers of their respective offices are confined in their exercise to the counties to which such offices severally belong. On the other hand, I understand a State officer to be one whose jurisdiction extends over the State, and the exercise of the duties of which will operate equally upon all the citizens of the State. Thus, the governor, the judges of the high court of errors and appeals, and of the circuit courts, are all State officers—because their action is general and not confined to any particular county or portion of the State. It is not the mode of election which gives character to the office, but the duties appertaining to it, and the extent of their exercise. For instance: a judge of the supreme court, it will be admitted, I presume, is a State officer, though he is elected only from a particular district—but the exercise of the duties of his office extends over the whole State. Let us then see what are the duties and powers of a representative, and how far they extend. The power of a representative is to pass laws, which laws extend all over the State, and affect the people of all other counties as much as the people of the county in which he was elected. He is a representative of the whole people of the State, and is consequently as much a State officer as the governor. If a representative be a county officer, he is liable to the operation of the 28th section of the 4th article of the constitution, which says that "Judges of Probate, Clerks, Sheriffs, and other county officers, for wilful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment by a grand jury, and trial by a petit jury, and upon conviction shall be removed from office." Now suppose, upon his return home, the gentleman from Adams should find the circuit court in session, and a bill

of indictment exhibited against him by the grand inquest of his county, charging him with wilful neglect of duty and misdemeanor in office, on account of the course pursued by him in this very matter; does he pretend that, upon conviction before a petit jury, he could be removed from his office of representative by the judgment of the circuit court? If so, the circuit courts, by a simultaneous action, might break up the legislature. This would be a novel method of proroguing parliament. The absurdity of the proposition, that a representative is a county officer, is so obvious, that, as I said before, no one has relied upon it, in argument, except the gentleman from Adams, and he has advanced it with such manifest distrust, as to show that he places no reliance upon it. If, then, a representative is not a county officer, the boards of county police had no power to issue writs of election to fill pretended vacancies—and such writs have no more validity than if they had been issued by the chairman of a public meeting. The advocates of the resolution are compelled to admit that these delegates have not been elected in accordance with the forms of the constitution—that the constitutional prerequisite in filling vacancies, to-wit: writs of election issued by the governor, was wholly wanting. Now, will gentlemen inform me, if they can dispense with the constitutional prerequisite of a writ of election, whether they cannot, with equal facility, lay aside the law prescribing the mode of election? If they can leap-over a constitutional barrier, the laws will hardly oppose any obstacle to their progress. Indeed, I understand it to be admitted, that the persons claiming seats from the new counties have not been constitutionally elected, but that the failure of the governor to issue writs, ought not to deprive the people of their right of representation. They carry this doctrine still farther, and assert that upon the occurrence of a vacancy in this body, and a failure of action on the part of the officers whose duty it is to order and conduct an election, the people have a right to meet in their primary assemblies, and elect, in such manner as they please, a representative—and that such representative, so elected, would be entitled to his seat on this floor. I understand the gentleman from Adams distinctly to

avow (if I am wrong I call upon him to correct me) that upon the failure of the proper officers to do their duty, the people, in their primary assemblies, have the right to send members to this body, without compliance with any of the forms of election prescribed by the constitution and laws. I ask the gentleman from Adams if I am right in attributing to him such a doctrine? He nods assent. Will he permit me to illustrate his doctrine by electing him according to his own mode? I will suppose that a vacancy occurs in the representation of the county of Adams. The governor neglects or refuses to issue a writ of election. The sheriff refuses to act without a writ; and, in consequence, no election is ordered, no inspectors appointed, and no polls opened. Deep excitement pervades the community. The people meet in the public places, like the citizens of ancient Athens, and greedily inquire of each other what has happened. At the corners of the streets at Natchez huge placards are posted up, on which, in blazing capitals, you may read, "Citizens to the rescue! Your rights are violated—your liberties are endangered!" Suddenly the tocsin is sounded, and the deep tones of the bell, which hangs above the temple of justice, and which has so often assured the inhabitants of that beautiful city, they lived under a government of constitution and laws, now speak the notes of alarm. The excited citizens rush towards the court-house. A human wave is seen in every street. That old hall, which has often rung with the eloquence of the wise and the good, is now filled with men whose scowling brows and compressed lips denote that it is upon no ordinary occasion they have assembled there.

The gentleman from Adams mounts the rostrum—that sacred place from whence law has been so long expounded, and justice dispensed. Beneath him is a sea of upturned faces, and as the burning words flow from his ready tongue, that multitude is swayed to and fro, even as the tides obey the changing moon. He tells them, with eloquence far beyond my feeble powers to imitate, that the most sacred of all their rights is in danger—that right for which their fathers fought, for which patriots have lived, and heroes died. He tells them that taxation without

representation is tyranny—that opposition to tyranny is obedience to God—that this right is inalienable—that they cannot be deprived of it by any power whatever, much less by the neglect of duty in their agents, the mere slaves of their will. He states how the various officers have neglected their duty—and thus pours upon their heads the vials of his eloquent wrath:

"Fellow Citizens:—The sword of retributive justice shall soon descend upon the traitorous governor; and to the ears of our recreant sheriff shall come from the ballot-box a voice which will make him tremble, as if he heard the last trumpet sound—the voice of an indignant people. But, fellow citizens, you must not be thus cheated. These forms prescribed by the constitution and law, shall not bind your free energies. Even now, before you leave this house, speak in accents of thunder—assert your right—and should your choice fall on the humble individual who addresses you, proudly will he stand in the legislative hall, and boldly will he claim his seat as your representative." The gentleman ceases: and a murmur of approbation runs through the assembly, which presently rises to a shout that would mate the roar of the ocean, when the tempest is doing its wildest work. He is elected by acclamation, and presents himself before this house as the representative of the county of Adams, with the flush of triumph on his cheek, and an almost endless roll, containing the signatures of all that primary assembly, as the certificate of his election. Could the members of this house, under their solemn obligation to support the constitution, admit the gentleman to take his seat upon this floor? Does the gentleman from Adams really assert, that, under such circumstances, he would be entitled to a seat? He answers in the affirmative.

Sir, I did not expect to hear such doctrines advanced from that quarter. I look upon them with horror and alarm. I denounce them as disorganizing and revolutionary. They are the same doctrines which were preached in the jacobin clubs of Paris, during the worst times of the French Revolution; and, if generally adopted, will produce the same result here that marked their progress throughout that bloody period. If the gentleman's doctrine is carried out, it amounts to this: that whenever an

officer of government fails to do his duty, the people have the right to take the matter into their own hands and do it for him.

If a judge fails or refuses to hold court, the people can meet in the court-house and adjudge the causes upon the docket—and should they find a criminal awaiting his trial for some capital offence, then, inasmuch as legal proceedings are mere matter of form, and the punishment is the substance, they will have a perfect right to hang the poor wretch upon the nearest tree. Sir, I do not pretend to say that the gentleman from Adams has, in point of fact, pushed his theory thus far; but I appeal to every sensible man, whether the propositions made by him do not embrace a principle broad enough to cover all such cases. And what is the principle? It is a fearful monster, which has, for the last two or three years, traversed the United States with the stride of a drunken and infuriated giant, trampling down constitutions and laws, and setting governments at defiance. In the city of Baltimore, in its frantic mood, it demolished the edifices of the citizens. In Charlestown, a convent fell a prey to its wayward humor. It is no stranger within our own State—and, maddened by a southern sun, its footsteps here have been marked with blood. It is the principle of mobocracy, the incarnate fiend of anarchy. For the first time it has dared to present its horrid front in the halls of legislation. The gentleman from Adams has introduced it—and upon his head be the consequences, if, as I fear will be the case, it is received with welcome. Let the gentleman remember the fate of many a necromancer, whose unholy incantations have been of power to raise the devil, but not to control him—and who, while struggling in the choking grasp of the foul spirit, has cursed the day he meddled with the black art of sorcery. A child may unchain the hungry tiger, but if he does, will most likely fall the earliest prey to the savage beast. I told this body at an early period of the debate, that a fearful chasm was at our feet—and, if we waited for a little time, it would be bridged, so that we could pass it in safety. "I will leap it," cries the gentleman from Adams, impetuously. I entreat him to pause, if not for his own sake, at least for the sake of those who have committed dear rights to his charge. Let him

not tempt the fate of Curtius, when the country can receive no benefit from the sacrifice. Richer treasures than the gentleman from Adams must be thrown into that yawning gulf before it closes.

Sir, I do most solemnly believe, that upon the rejection of this resolution depends the prosperity of this State, for many years to come. I believe its adoption will infuse into the legislation of the State a poison which no medicine can cure. It will part the laws from the constitution, and set them adrift, like the broken spars and rigging of a dismasted vessel, which beat against and destroy the very keel they were intended to support.

But in spite of this and all other opposition, the resolution admitting the delegates from the new counties was finally passed by a bare majority, the claimants themselves voting on the question. Thereupon, Mr. PRENTISS prepared the following Protest, which in behalf of himself and twenty-one other Representatives, he obtained leave to have spread upon the Journals of the House:—

The undersigned, members of the house of representatives of the legislature of the State of Mississippi, believing that said body has, in certain action which has occurred therein at the present adjourned session of 1837, violated the constitution of the State, the law of the land, and the rules which govern legislative proceedings, by admitting as a component part of the body, ten persons whom they believe, under the constitution of the State, the law of the land, and the rules of legislative proceedings, to have no right to participate in the deliberations of the body, ask leave to protest against such action, as the only mode left by which to express their opinions upon the same.

The undersigned set forth the following statement, as the ground of their proceeding:

1st. They believe that by the constitution of this State, the power and jurisdiction of fixing the number of each branch of the legislature, and of apportioning such number among the

counties, cities, and towns, is given expressly to the whole, and not to either branch thereof.

2d. That the number of representatives which should compose this branch of the legislature at the present session, was fixed by the legislature of 1833, and apportioned among the counties then in existence.

3d. The constitution requires that, in case of vacancy, a writ of election should be issued by the governor.

Now the undersigned set forth the following facts;—1st. That the legislature of 1833, did fix the number of this house at sixty-four, and did apportion that number among the counties of the State. 2d. This body has admitted ten additional persons as members thereof; thereby increasing its number to seventy-four without any new apportionment by the legislature. 3d. Said ten persons were not elected at any general election, nor by virtue of writs of election issued by the governor, but by virtue of writs of election issued by the boards of county police. 4th. Upon a report of the minority of the committee of elections, denying said ten persons to be constitutionally elected members of this body, a motion was made to disagree to said report, which motion was divided, and eight of said persons were permitted to vote upon every portion of said report. 5th. Before said last-mentioned vote was taken, the question was raised whether said ten persons had a right to vote on said question. Mr. Speaker decided that they had, an appeal was taken, and said ten persons were permitted to vote on the question whether they were entitled to vote.

Upon this view of the constitution, and this state of facts, the undersigned do most solemnly protest against the admission of these ten persons into the house, as an addition to this body, unknown and unauthorized by either the constitution or laws of the State.

They further protest against the mode in which they were admitted; and more particularly, the power of voting, acquired by their own votes, which the undersigned conceive to be a total and outrageous violation of common sense and common justice, both of which say that a man shall not be a judge in his

own case. The undersigned further protest against the action of the speaker in the whole of this matter, which seemeth to them a continued infraction of constitutional, legal and legislative rules. In conclusion, the undersigned feel bound to say, that they conscientiously believe that the action of this house, in relation to the matter above set forth, has been unprecedented and unconstitutional, and that it has the effect totally to disorganize this body, and destroy it as a branch of the legislative department of government.

The late estimable Judge Winchester, then a senator from Adams county, introduced a resolution into the other branch, declaring the legislature to be disorganized, and upon its failure, entered with five other senators a Protest similar to the above.

After passing a bill, incorporating the mammoth Union Bank, the legislature hastily, and in great confusion, adjourned over to May. But Mr. Prentiss immediately resigned his seat. Thus closed his brief legislative career in Mississippi.

CHAPTER IX.

Recollections of him in the Winter of 1836–7—Letters—Gains the great Commons Suit—Second Visit Home—Fourth of July Speech at Portland—Becomes a Candidate for Congress—His Views on the Question of a National Bank—Mississippi in 1837—Opens the Canvass with a Speech at Natchez—Electioneering Campaign—His Letters describing it.

ÆT. 28—29. 1837.

THERE was no point, perhaps, in Mr. Prentiss' life, when his physical and mental powers were in finer tune than during the winter of 1836–7. He was the very picture of health, hope and joyous activity. His presence seemed encircled by a kind of charmed atmosphere; it excited pleasurable emotion like the song of birds in spring. One could hardly be with him and hear him talk, without a certain grateful elation of feeling. How shall I ever forget that winter? I cannot recall a look, or word during the whole of it, that was not kindness itself. He seemed a thousand times more interested in forming plans for others than for himself. His literary taste was constantly showing itself. One day, for example, he bought me, at an extravagant price, a copy of Bayle's Biographical Dictionary, and then expatiated, with all the enthusiasm of a bibliopolist, upon the attractions of that celebrated work. In such matters he was as eager and artless as a little child. He delighted, of an evening, to sit and talk over old times, old scenes and old neighbors far away in New England. He never tired of doing this. Beginning at the old farm, and then passing to

the village, he would inquire minutely about one person after another, and then wind up by saying he had never met such original characters since leaving home. At other times, he would relate exciting scenes he had passed through in the South, and give his opinion of men and things there. In these conversations, a large share was devoted to his mother and sisters, to devising little schemes for their comfort, and expressing his affection for them. The following letters written about this time, may afford glimpses of his feelings :—

TO HIS MOTHER.

VICKSBURG, *February* 10, 1837.

MY DEAR MOTHER:—

It has been now at least two months since I have written to any of you; a neglect I should not have been guilty of, but for G., who writes so frequently and such long letters, that I tell him you will never read half of them. You have received the news, I suppose, very regularly from him, and have lost nothing by my silence. The time when I expect to see you is so rapidly approaching, that I feel almost dissatisfied with the cold and dull formality of a letter, in anticipation of the pleasure I shall have shortly in conversing with you all. I have just returned from Jackson, having finished my business both in the Courts and the Legislature. We had but a short session of the Legislature, though a very boisterous and noisy one. In making the noise, I helped considerably myself, as you have no doubt seen by the papers which G. has sent you. In the Courts, I was successful to the utmost extent of my wishes, particularly in gaining the suit to which I have once or twice alluded heretofore in my letters. I never told you the particulars about it, as I did not wish to excite hopes that might not be realized. The suit was for some very valuable property in this place, including a portion of the town. I was employed several years ago as counsel in the cause, and believing I must ultimately succeed, I purchased a portion of the interest. The matter has gone through all the courts, and was finally decided

in my favor, last week, in the Supreme Court of the State. This decision is final, and we are now in possession of the property. My interest, I have no doubt, is worth, and will realize *at least* one hundred thousand dollars.* This will be enough for us all. I rejoice at this fortunate result more on your account and that of the girls, than on my own, for even had I lost the suit, I should have found no difficulty in making an ample subsistence by my profession. As it is, I trust that neither you nor the girls will ever again have a wish either for your own comfort, or that of others, which you will not be able to gratify. G. will leave for home some time in May. I shall not get away till June. I have a great many plans both for you all and for myself, which I will not discuss till I get home. I shall write to W. to night, to inform him of my good fortune, and that he shall partake of it. G. writes you such long letters, that I believe I will give you a specimen of a short one. Tell Anna that the first two things I intend to buy when I get home are a *pony* and a *piano*. My best love to you all.

Your affectionate son,

SEARGENT.

TO THE SAME.

VICKSBURG, *February* 27, 1837.

MY DEAR MOTHER:—

I have just received your letter of the 6th inst., and hasten to write you in return. I am very much pleased that you have of your own accord, decided that it would be best to move into Portland. I have always thought that both your comfort and happiness would be advanced by doing so; but I never felt disposed to press it, because you could of course judge best of the matter. I am perfectly pleased and satisfied with all you have done, and my only fear is, that you have not

* This was much below the real estimate. In a note, addressed to him several months later, by Judge Sharkey, the latter says:—"Your lots must necessarily increase in value so long as the city continues to improve. The present value, as property is now estimated, cannot be less than three or four hundred thousand dollars. My estimate is below that which is generally fixed by others better acquainted with the value of town property than myself."—ED.

availed yourself sufficiently of my offer, and may not have purchased a house that will suit you. I have already told you in a former letter that I shall not be able to leave here till some time in June, by the last of which month, however, I hope to be with you. I do want to see you and the girls very much, for I love them dearly. Indeed, they are sisters of whom any brother might be proud; they are so kind, and so considerate, and so good, and I am proud of them. I am grateful to them, also; for had I not had such kind and affectionate sisters, and such a mother as I have, I do most sincerely believe that I should never have been successful in life; for I should have been without the main inducement to exertion. Many a time, since I have wandered forth into the world, have I been tired and sick and disgusted with the cold selfishness of those around me, and ready in perfect contempt, to quit all further business with them; but the thought of home and the loved ones there, has warmed my benumbed feelings, and encouraged me to renewed efforts, by the reflection that there were, though afar off, those whose happiness was, in some degree at least, connected with mine. And I hold that no person can be entirely miserable while there is in the world a single individual who will rejoice at his prosperity, or feel sorrow for his adversity. I have directed this letter to Gorham, for fear you may not have moved yet. G. is going to Natchez to-morrow, to see one of his classmates before he starts for home. I have nothing new to tell you, and indeed, it would be unnecessary, for I presume G. gives you all the gossip. Good night. My love to you all.

Your affectionate son,

SEARGENT.

TO HIS SISTER ANNA.

VICKSBURG, *April* 2, 1837.

MY DEAR SISTER:—

I have been gladdened by a perusal of your kind letter of the 8th ult., which, through the rapid medium of the

express mail, has just come to hand. Indeed this miscalled Express is more tardy in its movements than the old system; for I used to receive letters in much less time than is now consumed in their passage. I need not tell you how grateful to me are your sisterly and affectionate congratulations upon my success—nor how truly you appreciate my feelings in supposing that a sister's wishes, sympathy and hope sound far sweeter to my ear than all the cold compliments of the world. I care very little for the opinions of those I do not love. Indeed, even if one were not inclined, it would be good policy to treat the world with contempt—for, spaniel-like, the more you abuse it the more it will fawn upon you. But I will not fill my letter with misanthropy, as it would belie my feelings. If I love not mankind, still I hate them not.

And so the folks have moved into Portland at last. I am very glad they are pleased with the change. I do not recollect the part of the city in which the house is situated. If it does not turn out to be a pleasant one, we will sell it and buy another. Before this arrives G., I presume, will be with you. He started two weeks since; and I have just heard of his safe arrival in Louisville. I do hope he will have persuaded S. to accompany him home. It will be so great a gratification to mother, as well as all of us, to have him with us this summer. W. will, of course, come to see us; and then we shall all be collected together around the same fire-side—a good fortune which does not often occur in a family so much scattered as ours has been.

Josiah L—— called on me a few days since, on his way to New Orleans. He is in excellent health, and, apparently, good spirits. He has been living at Cincinnati, and says he intends to go and buy a farm in Illinois. He asked me what was "the good news," and seemed very glad to see me. I have no news to give you since G. left—and as he will be with you before this letter, he will, of course, have unfolded his budget, and have given you everything of the slightest importance or interest.

My love to you all. Good night.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ABBY

VICKSBURG, *May* 7, 1837.

MY DEAR SISTER:—

I believe I shall never become as good a correspondent as G., and I know you have good cause to complain of my want of punctuality. I never could express my thoughts and feelings readily upon paper; and, indeed, I have almost a repugnance to writing letters. It is, however, unnecessary to assure you that this arises from no forgetfulness of my dear mother and sisters, for should I write as often as I think of you, your whole time would be employed in reading my epistles. I wish you further to understand, that my repugnance extends only to writing, and not to receiving, letters.

I am delighted that you are all so well pleased with your new residence, and know I shall like it much; for whatever pleases you will please me. We have nothing new here, except the most horribly hard times ever known, and they are getting worse daily. It seems to me, half the people in the United States will have to break; for, from all I see in the papers, things are no better North.

If I get off by the first of June, I shall not write again. Our Courts are now in session, and I am quite busy winding up my old business—for I have declined taking any new. It is getting late, so good night, and my love to you all.

Your affectionate brother,

SEARGENT.

He reached Portland the latter part of June. After remaining a couple of weeks, and fishing once more in the Great Brook, he was hurried back by the intelligence that his friends in Mississippi, had nominated him as a candidate for representative in Congress.

During this visit he was invited to attend a Whig Fourth of July celebration; and on being toasted, in a very com-

plimentary manner, as "a son of Portland, in whose talents and acquirements the vigor of the North was united to the fertility and luxuriance of the South"—he responded in a speech upon the financial condition and distresses of the country, which excited the admiration of all who heard it. At this time his name was little known in his native town; few present, indeed, had ever before seen him. The peculiar style of his oratory, in part the growth of his Southern life, was as novel to the ear of many of his auditors as the magnolia of the South in full bloom would have been to their eye. The celebration was held under an immense pavilion, upon the hill which overlooks Casco Bay. Mr. Prentiss had hardly begun his address when the thunders of applause arrested the attention of troops of men and boys, who, as is usual on such occasions, were sauntering about in the vicinity. Immediately they pressed up to the tent, and no sooner had they caught the accents of the speaker's voice, or—by peeping through some rent or loop-hole—got sight of his face, blazing with excitement, than they stood still, transfixed with delight. It were difficult to say whether the scene without or within the tent, afforded the most striking proof of the orator's power.

Some of his illustrations were exceedingly vivid. In speaking of Gen. Jackson's "experiments" upon the currency, he compared him to a man who should seize you by the jugular vein, and, substituting his own will for the self-regulating law of health, ordain how fast or how slow the life-blood should course through it! No one who heard him on this occasion, will easily have forgotten the passage in which he described the recent Whig victories, east and west of the Alleghanies; or his exulting tone and glow of countenance, as he concluded it by quoting the celebrated lines from *Childe Harold*:—

"Far along,
From peak to peak, the rattling crags among,
Leaps the live thunder! Not from one lone cloud,
But every mountain now hath found a tongue,
And Jura answers, through her misty shroud,
Back to the joyous Alps, who call to her aloud!"*

He returned South by the route across the Allaghanies, and had, as the following letter intimates, a very wearisome journey of it :—

TO HIS YOUNGEST BROTHER.

VICKSBURG, *August* 14, 1837.

DEAR GEORGE:—

After an exceedingly tedious and fatiguing passage of eleven days from Louisville, I have at length arrived safe and in excellent health at the place of my destination. The Ohio was very low, and the boat in which I embarked, took the occasion to tarry some seven or eight days upon sand-bars. I find things here very much as I left them. Times are very dull. There is not a dollar of money in circulation and no business doing. The prospect for crops is good, and I doubt not business will be brisk so soon as the cotton market opens. Exchange will then be restored between this State and New York. At present it is entirely prostrated. Vicksburg has been somewhat sickly

* I find the following editorial notice of this speech, in the "*Portland*" *Advertiser*—followed by an enthusiastic tribute to the eloquence of the Maine boy—from the spirited pen of John Neal:—

"MR. PRENTISS answered to the call in a modest, eloquent and classical speech, unsurpassed by anything of the kind we ever heard. It was full of power, and altogether superior to the speeches we are accustomed to hear on such occasions. We have done our utmost to procure it for publication, but are obliged to say—with faces longer than we should like to acknowledge—that the thing is impossible. We could not procure from the gentleman himself, even an outline. But neither Mr. PRENTISS himself, nor the most attentive of his auditory, though accustomed to reporting, almost literally, the language of public men, uttered on public occasions, would be able to do that speech justice on paper, were they to club together for the purpose.

"We hope, therefore, our readers will be satisfied with the concurrent testimony of all who heard it, that it was worthy of the man himself, one of the most gifted among the great body of New Englanders who have gone to the mighty West and Southwest—those storehouses of empires—there to multiply and scatter the seeds of genuine, unadulterated, *New Englandism*."

during my absence, but it is quite healthy now, and I apprehend no danger whatever. The election resulted, as I anticipated, in the defeat of the Whig ticket, by a considerable majority, about 3,000. I was beaten 2,800 votes. I had 500 more votes than the candidate who ran on the same ticket with me, though he had been electioneering all summer. In the river counties, where the strength of the Whigs principally lies, they did not give more than half the vote of which they are capable—many believing the special election illegal and invalid. I shall make the tour of the State and try my luck in November, though I have small hope of success. I deem it my duty, however, having become a candidate, to use every exertion. But so far as my individual feelings are concerned, I shall not suffer the slightest mortification at defeat. I shall only regret it on account of my friends and the cause. Had the special election not occurred until I had had a full opportunity of canvassing the State, I should have stood a good chance; as it is, you must look for my defeat in November, unless I can do more by my personal exertions than I have any warrant for supposing can be done. But enough of this, to me, insignificant subject. I find all my friends here well, and many of them inquire after your welfare. I suppose, by this time, you are all very snugly situated on Danforth street. I trust you will be pleased with the house, and I should be delighted to drop in and see how you have arranged matters. Col. Ben is well, and is already edifying the boys with an account of his adventures in the Free States. I shall leave town in a few days for the interior. I shall expect frequent letters from you, and the girls, and you must always tell me of all your wants and wishes at home. I hope S. will stay with you till late in the fall. I would this election had been out of the way, and then I should have been with you still.

August 26.

I shall start out to-morrow on an electioneering trip, and be gone till November. Should I succeed, it will be one of the greatest triumphs ever obtained in this country. The special election, during my absence, played the mischief with

the Whig cause. Judge Guion and family are well, and also Mr. Smedes. My love to you all.

Your affectionate brother,

SEARGENT.

Before setting out, he published an address to the people of the State, containining a brief *exposé* of his political sentiments. The leading question of the day, was that of a National Bank; and to this topic the address is chiefly devoted. The following extracts present the main points, upon which the election turned, and afford, at the same time, an instructive illustration of the great change which has since come over the financial creed and policy of the country.

In November next, you will be called upon, in selecting a large number of public agents, to elect two for the purpose of transacting your business and representing you in the Congress of the United States. I am one of the candidates for that high and important trust; and both reason and custom make it incumbent on me in the position I occupy, to make known to you my political principles, so far as they may have any bearing upon the action of a representative. This duty I should have performed long since, but for indispensable absence from the State, to which I have just returned. Though my name was before you at the recent election, I was wholly ignorant when I left the State that a special election was contemplated, and was not aware of the fact that such an election would be holden until a few days before it occurred, too late to have communicated with you either personally or by letter. I trust this will be a sufficient excuse for my apparent neglect.

The most important question which now agitates the public mind, arises out of the distressed condition of the country. To the actual existence of great distress; to the utter derangement of commerce, foreign and domestic; to the diminution in both

the price and demand for labor; to the prostration of business in the mechanic arts; to the depreciation of property; to the universal distrust and foreboding which pervades the community in every part of the Union, all men bear witness; on this subject there is but one party. The immediate cause of the evils above enumerated, is by all correctly attributed to the derangement of the currency of the country. It seems, also, to be admitted, that the only adequate remedy is a restoration of the currency to a sound state. The people look to Congress for this restoration, and they demand that it speedily be made.

I believe that not merely the best, but the only mode of restoring the currency of this country to a sound condition, and keeping it so, is the establishment of a National Bank. I believe we cannot have a currency in the United States adequate to carry on the business of the country, without such an institution. We certainly cannot have an exclusively metallic currency, though there is a party who hold the proposition that we can. All wise politicians, however, repudiate the monstrous absurdity. Even the *Globe* denies that either the Administration or any prominent member of the party, ever advanced so foolish a doctrine. Indeed sensible men all join in scouting it, and it is now the peculiar property of the *Loco Focos*. I look upon the theory of a currency purely metallic in a country like this, as one of the most unpleasant specimens of human imbecility ever exhibited.

I believe the State banks, alone, incapable of furnishing a sound currency. Having their origin under different systems of legislation, with dissimilar charters totally powerless beyond the limits of the State in which they originated, each eager to furnish as large a portion as possible of the circulation of the country; these rival and hostile institutions are continually pressing forth their paper, until public confidence becomes shaken; their issues are returned upon them,—suspension of specie payment is the consequence, and seven years of pecuniary famine succeed the seven years of plenty. The same course will then be pursued again, and thus the country will be alternately gorged and starved. With a National Bank in operation, such a

state of things cannot occur. The undue issues of State institutions will be immediately thrown back, before they have reached an injurious accumulation; and the State Banks, kept in continued and equal check by this great regulation, will harmoniously perform their legitimate function of furnishing a currency for all the domestic business of the States to which they respectively belong. This is the extent to which State banking can be carried,—furnishing a local, but not a general currency. Experience has shown, and reason demonstrates, the inability of the State banks to carry on the exchange of the country, and their unfitness to act as the fiscal agents of the Government, in the safe keeping and disbursement of its revenues. These offices, I believe, can be successfully performed only by a National Bank. By the establishment of such an institution, our currency would soon become what it once was, the best in the world. With gold and silver for a basis, the issues of sound State banks for all local purposes, a National Bank to check the undue action of the State banks, to regulate exchanges, and to act as the agent of the Government in the collection and disbursement of its revenues, we should have a mixed currency, which experience has twice proven to us is sound, regular, and fully adequate to all the wants of the people and the Government, and the only one I believe fitted to the political, commercial, and geographical character of our country.

In the establishment of a National Bank we can easily obviate the objectionable features which have been urged against the character of the old institution.

If, then, I am elected as your Representative, I shall vote for the immediate establishment of a National Bank.

1st.—For the purpose of furnishing the government with a competent fiscal agent. 2d.—Because it will furnish a currency of equal and uniform value throughout the Union. 3d.—Because it will restore the exchanges of the country, and relieve the community from the immense sacrifices which are now made in the transmission of funds from one State to another. 4th.—Because it will keep in check the State banks, repress undue and inordinate issues of local paper, and by that means, in all

likelihood, prevent a recurrence to the desperate remedy of a suspension of specie payments.

I never heard an objection to the old United States Bank which cannot be easily obviated in chartering a new one, except the constitutional objection. I know that as honest politicians as any in the country have denied the constitutional power of Congress upon this subject. I have myself, however, always entertained a different opinion, and believe Congress has, under the present Constitution, power to charter a bank.

I would, however, out of respect for those who differ from me, be glad to see the Constitution so amended as to leave no doubt on the point.

I have thus, fellow-citizens, frankly given you my views on the Bank question—a question upon which my opponents, Messrs Claiborne and Gholson, entertain, I am informed, opinions diametrically opposite to my own. Indeed, I should never have placed my humble pretensions in opposition to theirs, had it not been for the opinion which they avow in relation to this all-important subject. They are both gentlemen whose personal qualifications to represent the people of Mississippi no one can doubt. There is no personal rivalry in this canvass—it is, as it ought to be, a question of principle.

Before accompanying him on his electioneering tour, it seems proper to give some account of Mississippi, particularly of its population, at this time. The following table contains an official return of the census of all the counties in the State, except Tunica, in 1837. It is a very suggestive document. The proportion of young men is particularly striking. The white male population of Warren County, for example, was 3,530 ; of this number only 124 were over forty-five years of age.

NAMES OF COUNTIES.	Number of white males over the age of forty-five.	Number of white males between the ages of twenty-one and forty-five.	Number of white males between the ages of eighteen and twenty-one.	Number of white males under eighteen years of age.	Number of white females over sixteen years.	Number of white females under sixteen years.	Number of male slaves in each county.	Number of female slaves in each county.
Adams,	210	2414	123	758	1016	769	6566	6662
Amite,	185	548	115	864	702	772	2500	2476
Attala,	68	325	54	498	325	443	374	334
Bolivar,	10	71	12	54	47	55	392	305
Carroll,	142	849	111	1156	823	989	2286	2277
Chickasaw,	34	110	27	177	112	169	118	113
Choctaw,	92	469	82	619	478	644	474	485
Claiborne,	155	970	118	671	644	568	4433	4439
Clarke,	75	216	42	405	303	370	265	238
Copiah,	202	767	170	1192	910	1145	1655	1733
Covington,	84	277	64	563	363	488	371	425
De Soto,							Totals	882
Franklin,	126	405	88	607	398	442	1254	1293
Greene,	61	138	27	327	226	267	179	218
Hancock,	166	322	58	445	350	414	357	363
Hinds,	314	2137	212	1695	1494	1649	7059	6870
Holmes,	128	637	114	764	603	710	2583	2478
Itawamba,	65	263	36	434	288	388	99	91
Jackson,	88	191	47	393	290	310	199	194
Jasper,	81	308	63	570	378	503	365	410
Jefferson,	120	507	94	537	506	495	4183	4107
Jones,	45	100	30	335	236	261	49	59
Kemper,	125	556	79	1013	667	940	1003	1130
Koahoma,	16	165	20	143	109	109	152	145
La Fayette,	82	442	69	528	391	493	751	700
Lauderdale.	89	345	45	542	392	470	249	295
Lawrence,	175	563	106	1058	755	921	1156	1066
Leake,	85	195	55	195	334	274	326	215
Lowndes,	240	1359	191	1348	1109	1206	3767	3595
Madison,	138	1103	126	832	693	780	5448	5790
Marion,	104	279	72	585	388	512	775	779
Marshall,	326	1538	204	2203	1679	2058	2663	2561
Monroe,	158	728	148	1086	714	1005	173	1155
Neshoba,	30	123	16	206	133	150	154	159
Newton,	70	237	63	421	299	416	217	208
Noxubee,	117	698	119	854	618	775	2262	2176
Octibbeha,	49	360	54	361	273	605	767	712
Perry,	77	191	27	382	306	384	208	224
Pike,	199	543	108	1151	788	957	1055	1110
Ponola,	52	327	46	334	242	295	520	412
Pontotoc,	74	369	63	414	299	353	590	568
Rankin,	129	513	88	845	579	741	993	963
Scott,	35	131	2	251	157	224	116	124
Simpson,	109	347	55	701	482	622	418	473
Smith,	41	169	26	328	213	308	135	167
Tallahatchie,	49	306	35	337	290	311	780	742
Tippah,	162	626	135	1112	820	1069	595	662
Tishamingo,	98	346	107	751	507	661	89	92
Warren,	124	2387	141	878	948	787	4841	4845
Washington,	86	304	24	150	142	119	2980	2822
Wayne,	56	155	36	276	225	245	416	434
Wilkinson,	149	537	93	728	671	634	4706	4888
Winston,	86	394	62	634	442	578	484	475
Yalabusha,	182	1103	170	1272	1025	1119	2084	2131
Yazoo,	100	1111	110	788	645	679	4204	4247
	6103	30594	4541	26181	27834	32161	81838	82555

The following table, prepared from the last United States Census, gives an interesting statistical sketch of the growth and character of the population of Mississippi, down to 1850:—

	White Inhabitants.	Increase per cent.	Free Colored.	Slaves.	Increase per cent.	Total Population.
1800	5,179	——	182	3,489	——	8,850
1810	23,024	344.56	240	17,088	389.76	40,352
1820	42,176	83.18	458	32,814	92.02	75,448
1830	70,443	67.02	519	65,659	100.09	136,621
1840	179,074	154.21	1,366	195,211	197.31	375,651
1850	295,718	65.13	930	309,878	58.74	606,526

We have no means of ascertaining the different professions, occupations and trades, of the people in 1837; but the census of 1850 contains a table devoted to this subject, from which it appears that of a total male population of 75,082, there were 44,833 engaged in farming; 5,343 were planters; 2,324 were overseers; 2,287 were students; there were 1,506 merchants, 1,090 clerks, 5,403 laborers, 1,217 physicians, 590 lawyers, 471 clergymen, and several thousand mechanics. As late as 1850, more than one-half of the free population were natives of other sections of the Union. A large proportion of them came from North and South Carolina, Alabama and Tennessee.

Mississippi was formed out of territory ceded to the United States by South Carolina; and was admitted into the Union, December 10th, 1817. In size it is the thirteenth State in the Union, being considerably larger than either Pennsylvania or New York. It covers an area of 47,151 square miles, is highly favored in situation;—and has resources, agricultural and commercial, capable of almost unlimited development. In 1836, it had 1,048,530 acres of land under cultivation, and produced 317,783 bales of cotton.

It is clear from these statements, that the great body of

the electors of Mississippi were plain farmers and laboring men. Many of them, moreover, came from different and distant parts of the country ; bringing with them, of course, their various local customs, prejudices and traditions. In each principal town could be found representatives—not only of every sectional—but of every party feeling in the United States. The popular assembly often contained men who had imbibed their earliest political sentiments from the lips of Henry Clay in Kentucky, of Andrew Jackson in Tennessee, of Calhoun in South Carolina, or of Daniel Webster in New England. Not a few had always regarded the *Richmond Enquirer* as the oracle of public wisdom. Some were born Federalists, some Nullifiers ; others, Jeffersonian Republicans. Add to all this, a general dislike of *Yankees*—and the reader will see that Mr. Prentiss, in attempting to revolutionize the politics of Mississippi, undertook a pretty difficult task; one requiring no ordinary degree of skill and oratorical power.

His letters give some account of the toil and travel attending this canvass ; but they afford no conception of the enthusiasm with which he was everywhere greeted. His fame had gone before him into every corner of the State ; the popular ear and eye were on the alert to see and hear one, whose pithy speeches and independent, manly course in the Legislature had already won for him universal attention. The Whig newspapers of the day teemed with glowing reports of his reception and addresses, as he passed in triumph from county to county. On each new occasion he seemed to surpass himself, and before he had completed the tour of the State, the conviction of his extraordinary character and abilities, long entertained by his friends, was the public opinion of Mississippi. Such was the victorious power of his eloquence, that he might have exclaimed concerning almost every spot he visited,—*veni*, DIXI, *vici !* His return to Vicksburg was like

that of a young general from the sudden conquest of a province.

The following brief reminiscences of this canvass, may not be unacceptable to the reader.

Mr. PRENTISS opened the campaign by a brilliant speech at Natchez, in the presence of a host of his oldest and most devoted personal friends. Nothing could exceed the pride and gratification, with which they witnessed his political *début* on this theatre, where he had gathered his earliest forensic laurels, and where, too, he had found his first home in the Southwest. Many in the crowd well remembered him, when eight years before, a lame and lisping boy, he used to ride into and out of Natchez, charming all who met him, by his genial wit, his gay repartees and mirth-provoking Yankee stories. None, who then knew him, where surprised to find the modest young schoolmaster from New England, grown into the persuasive orator and ripe statesman; for it was only the fulfillment of many a friendly prophecy. There was the utmost eagerness to hear him on the part of Democrats as well as Whigs; the feeling was increased by the unbounded praises, which a speech, made by him in his native town during a recent visit North, had elicited from the Portland press. Notices of this speech were copied into the Mississippi papers, and naturally excited a very kindly sentiment towards him. He had reflected honor upon his adopted State in the most distant corner of the Republic.

Among the many personal friends, who welcomed him on this occasion, the name of one ought not to be omitted—that of John M. Ross; a young lawyer of eminent promise—accomplished, of fine literary taste, full of high aspirations, and the very soul of honor—but destined, alas! in a few weeks for the grave. He and Mr. PRENTISS were most warmly attached to each other.*

* In a letter of Gen. Quitman to Mr. P., dated Sept. 17, 1837, I find the following reference to this gentleman:

"MY DEAR PRENTISS:—

I am scarcely recovered from the shock my feelings have sustained at the loss of our noble, gallant, and accomplished friend Ross, to reply to your

Of Mr. P.'s address it is, of course, impossible, after the lapse of so many years, to give any fitting account. It related chiefly to the currency, then the all-absorbing question of the day. Edmund Burke, I think the remark is his, has observed that some of the most important convulsions in society, have grown out of money questions. The great civil revolution now in process throughout the country, and which was to be consummated by the Presidential election of 1840, was a striking instance in point. Mr. Prentiss had evidently studied with much care the whole subject, both in its theory and practice. The masterly ability, with which he discussed it on this occasion, and the original, ever-varying and beautiful imagery, by which he illustrated and enforced his arguments, impressed the entire audience with admiration. In showing how the Administration party had availed themselves of the vulgar prejudice against banks, and thus subsidized the *Agrarian* or *Locofoco* faction, then just emerging from the maze of New York politics, he drew a picture of the great national "wire-workers" and their operations, so graphic, exact, and characteristic, wheel within wheel, that in your mind's eye, you seemed to see the vast machinery of partisan warfare in veritable motion. It called forth shouts of applause. In such descriptions, his oratory was "terrible as an army with banners;" nothing could stand against the energy of his look, gesture, and impassioned logic, when once he was fairly under way, in depicting and denouncing the tricks, duplicity and selfish cunning of mere party management. No person, who ever listened to him when thus aroused, could doubt, for an instant, the intense sincerity and force of his convictions. Scorn of all meanness and double dealing, whether in one man or a million of men, appeared to be a dominant instinct of his nature. He had abundant opportunities of witnessing both

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letter, which came to my hands several days since. Alas! I can hardly realize the fact that our brave and generous friend is no more. It was but a week since that, in a public speech, he pronounced upon your character one of the most eloquent, chaste, and beautiful eulogiums I have ever listened to. It now sounds in my ears like the melody of the dying swan. He died of yellow fever, and has left a void among us, which cannot be filled. He was buried by the Fencibles with all the honors of war."—Ed.

qualities during this canvass, and rarely afterwards did he address the people, North or South, without expressing his abhorrence, and warning them against the perils, of what he called "political jugglery" and "thimble-rigging." This, of itself, imparted to his speeches a lofty moral tone, which could not fail to impress his bitterest opponents with respect. Even when dealing with their opinions most severely, and, as they felt, most unjustly, they readily admitted that he did it "all in honor," and were not unfrequently the first to congratulate him on his unrivalled eloquence!

In the address at Natchez, and, as far as I know, throughout the canvass, his tone, when speaking of his opponents *personally*, was, in the highest degree, courteous and dignified. There could be no better proof of this than the fact, that the Administration organ at Natchez;—a newspaper, characterized at that time, like too many of the party presses, by a spirit of extreme violence and blackguardism, admitted, in noticing the speech the next day, that in the treatment of his opponents, Mr. Prentiss made use of only *one* exceptionable word. But this was only a momentary admission, elicited by a sudden impulse of honor and fair dealing. As soon as Mr. P. had left town, there were let loose upon him from this, and subsequently from other Administration presses in the State, full volleys of poison-dipt slanders and misrepresentations.* Not that the editors of these presses had any private pique against him, or failed to admire his splendid talents and frank, generous bearing; but it was a part of the game, by which they hoped to secure his defeat. If Mr. Prentiss afterwards lost somewhat of that amenity and kindliness of tone towards his opponents, which distinguished his treatment of them at this time (and it cannot be denied that he occasionally

* In the letter of Gen. Quitman, already cited, I find the following allusion to this subject:—"The infamous attempts of ——— and his advisers, to injure you, will not succeed. You have already a specimen of the low malignity of the wire-workers here. All decent men regard with abhorrence the late assassin-like stab at your character. It is beneath your notice. I trust that your health will be preserved, and that you will energetically follow up the vigorous onset you have made. If you fail, I shall despair of the Republic."—Ed.

did), it was partly, no doubt, in consequence of the irritating effect of these rude assaults. A man's political nerves must be made of iron—and in this country, they should be composed of no softer stuff—not to grow sensitive under such abrasion.

It was no wonder that there should have been a strong desire to prevent Mr. P.'s election. His speech at Natchez had sent terror into the Administration ranks, and it was instantly decided by their leaders that the owner of such a tongue would be a very troublesome member of the House of Representatives, at Washington, and ought by no means to have a chance of wagging it there. But all their efforts were in vain. He had "set the ball in motion," and it continued to roll with irresistible force until the battle was won. I doubt if a more signal instance of the triumph of personal appeal and argument over party discipline, prejudice, and hostile opinions, can easily be pointed out in the history of Congressional elections. In the Northern section of the State, a very strong feeling had been aroused against him, on account of his course in the Legislature upon the question of admitting the members from the New Counties; but his frank explanation of the motives which governed him, changed that feeling into cordial approval, and nowhere was he more warmly sustained than in these very counties.*

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* When Mr. PRENTISS reached Holly Springs, it was ascertained that Judge Huling would decline the nomination, and much difficulty was encountered in supplying his place. The Whigs were in a minority in the State, and especially in the ten Chickasaw counties—and Mr. P. was *more unpopular* in those counties than the Whig cause, in consequence of his course in the Legislature. At length my name was placed on the ticket, from my supposed personal popularity. My friends would not permit me to decline. Mr. PRENTISS canvassed the whole State—and here, in my own section, where it was expected I would give *him* strength, he beat me. He beat me even in my own county. I have often thought that I occupied, in that race, about the relation to Mr. P. that a yawl on the Mississippi river sustains to a splendid steamboat!

He was a great favorite with all classes of the people—all learned from him, and, therefore, he suited all. In politics, as in his private relations, *honesty* was his guiding star. But I am at a loss to speak of him in a general manner; for he was altogether out of the general order of men. He was, certainly, the great man, not only of Mississippi but of the Southwest—and from the end of this remarkable canvass, few could pretend to compete with him for the honor of being so regarded.

Letter from Mr. Word.

In the midst of the canvass, Mr. Van Buren's message at the called session arrived, a document which excited great dissatisfaction among the Democrats, while it was everywhere regarded by the Whigs as virtually identifying the financial policy of the administration with the absurd and destructive doctrine of the *Loco Focos*. Indeed, the general designation of the party in power by the name of that sect, dates from this period, and was in consequence of Mr. Van Buren's message. An interesting and most instructive essay, by the way, might be written upon the rise and influence of party-names in the United States since the establishment of the Constitution. It it is a pity some competent person would not undertake the task. The terms *Federalist*, *Jeffersonian Republican*, *National Republican*, *Jackson-man*, *Democrat and Whig*, *Free-Soiler*, and the like, contain, each one of them, a valuable political history.

Mr. Van Buren's message, and the cheering news of great Whig victories in Tennessee, New Jersey, Rhode Island, Maine, and other States, doubtless helped to determine the result in November. But notwithstanding, it was mainly Mr. P.'s own extraordinary exertions which secured the triumph. From beginning to end of the campaign, the eyes of the whole party were turned upon him as their champion; and when, at its close, victory rested upon the Whig banner, he was hailed by acclamation as the hero of the contest. The rejoicing of his friends at this result was unbounded; for they well knew what honor he would reflect upon Mississippi. Their joy was heightened by the deep mortification which, in common with many intelligent Democrats, they felt at losing, through the folly of a double ticket, a Whig governor, and the consequent election to that important office (alack the day!) of Alexander McNutt—destined to unenviable notoriety as the Great Repudiator.

From this time to that of his abandoning the State, S. S. PRENTISS was the pride, the delight, and the chosen standard-bearer of the Whigs of Mississippi.

The following extracts from a letter, written at the time,

may not be uninteresting in connection with the above. It is dated Benton, Miss., Sept. 4, 1837. Several chapters might readily be filled with similar letters from all parts of the State.

The voice of the eloquent and patriotic Prentiss had scarcely died away upon my ears, when I seated myself to announce to you, that he addressed a very large assembly of his fellow-citizens of Yazoo in this place to-day. Never in my life do I recollect to have seen so delighted an audience, manifested by the breathless attention which they gave the speaker for the space of over two hours. Although there were those present who are commonly known as Van Buren men, and consequently are disposed to entertain different political opinions from Mr. Prentiss, there were none who exhibited, throughout the address, any other feeling than that of the utmost satisfaction. Although Mr. P. was unsparing in his denunciation of what is commonly called "*the experiment*" upon the currency of the country, yet he was strictly courteous towards those who had the misfortune to differ with him in opinion. He said he came not amongst us to tear open old political wounds, or to excite old political feuds. That was not his business. He came here, he said, as the humble advocate of great political principles—principles which intimately concerned the well-being and happiness not only of every man who heard him, but of the whole people of the United States. He asked not office simply because he was a member of a particular party. He believed that a period had arrived in our country when something must be done by legislation, or our most sacred rights, if not our liberties, would be wrested from us amidst the general wreck of property. * * *

Would to God every citizen of Yazoo could have heard this masterly speech! I wish much I could do it justice—but that is utterly impossible. Mr. Prentiss, if elected, will make a proud representative for Mississippi. His eloquent voice could do much in these trying times to stay the waves of corruption, which are rolling over the land.

The people of Holly Springs insisted upon his partaking of a banquet with them before going on his way. Some of the sentiments offered on this occasion, show better than any description could do, the political temper of the day, as well as the feelings excited by Mr. P.'s address. The folfollowing are samples :

The good old Republican Principles—May they soon take place of the new-fangled democracy.

Our Country and our Government—One and indivisible—the same currency for each.

S. S. Prentiss—Like the mighty men of old, may he traverse our country round, and wherever he goes, leave deep impressions of political truths upon every human heart.

S. S. Prentiss—A scholar and a statesman worthy of our confidence—may we be honored with him as our Representative in Congress.

S. S. Prentiss—The Champion of Mississippi—Huzza for him and the National Bank.

The Ides of November—May they show that the people of North Mississippi feel a returning sense of justice towards our distinguished guest.

The following letters will fittingly close the account of this canvass :

TO HIS YOUNGEST BROTHER.

COLUMBUS, MISS., *October* 6, 1837.

DEAR GEORGE :—

Since I wrote you last from Vicksburg, I have been upon my electioneering campaign, and so busily have I been engaged, that this is absolutely the first opportunity for sending you a line, which has occurred to me. I have visited about half the counties, containing two-thirds of the population of the State. I have made about fifty stump speeches, averaging in length two hours each, and have ridden thirty miles a day ; so you see that electioneering is no sinecure. I am much pleased

with my prospects, and should not wonder if I was successful in the canvass, notwithstanding my prognostications to the contrary. I have visited the counties most hostile to me (the new counties), and think I have in a great degree succeeded in removing their prejudices. I have had an arduous but pleasant and healthy time of it. I have been several times lost in the woods, and out nearly all night among the Indians, of whom we have 6 or 7,000 in the State. The election in July, I am satisfied, was no test of the strength of the Whig party, and I make proselytes every time I make a speech. My health is fine and my spirits good. I shall continue my exertions till the day of the election (first Monday in November), by which time I shall have completed the tour of the whole State. I have, however, accomplished the most difficult part of my labor, and have now to visit the older counties. One of these times, tell Anna, I intend to give her an account of some of my adventures, which will be equal to a romance; though, to be sure, an electioneering hero will be somewhat of a curiosity. After the day of election, I shall return immediately to Vicksburg. Times are terribly bad in this country, and, at present, there is but a small prospect of better. I will write again soon. My love to you all. In haste,

Your affectionate brother,

SEARGENT.

TO WM. C. SMEDES, ESQ., VICKSBURG.

COLUMBUS, *Oct.* 8, 1837.

DEAR SMEDES:—

I arrived at this place day before yesterday, but this is the first moment of leisure which has been afforded me. I have visited all the western and northern counties, and have little doubt of my success in November. I have experienced a favorable reception in the Chickasaw counties, far exceeding my most sanguine expectations, and believe I have succeeded in removing all the prejudice arising out of my course on the Chickasaw question.

We were all mistaken and made a great *faux pas* in the nomi-

nation of Judge Huling. He has declined running. We have, however, a candidate in the field, who will answer the purpose as well as Huling. Thomas J. Word, Esq., a member of the bar at Pontatoc, has been nominated at that place, and also here. He has taken the field, and will prove an efficient aid to our cause. He is a gentleman of high standing, both for character and ability. He is perfectly orthodox in his views, and advocates precisely the doctrines contained in my circular. Mr. Word is popular in the new counties and will be of great service there.

You must have his name run up at once in our Whig papers, and let it be generally known. Our friends in the west must support him unanimously on the ticket with me, for I have assured him he will receive the full support of the party there.* He will confine his canvassing to the Chickasaw and Choctaw counties, while I shall take the eastern counties. This is the arrangement between us. By concert and action on the part of our friends, our ticket is certain to succeed. I have had a laborious but agreeable time, and have not visited a single county in which I have not received great encouragement. Indeed, I doubt not that three-fourths of the people are in favor of a National Bank. I have visited about twenty-six counties, and made some forty speeches. In Marshall, I think we shall divide the county, or perhaps get a majority. I have not been in a single county in which there will not be a change in our favor in November. Try and let it be as generally known as possible, that Mr. Word is a candidate, and is now on the stump before the people, and is the right sort of a man in every respect.

I have not time to write as fully as I wish, and perhaps shall not write again. Assure all my friends that if they will exert themselves, our success is *certain*. Show Guion this, as I have no time to write another letter. In haste,

Your friend,

S. S. PRENTISS.

* Mr. Word's vote, which, in other parts of the State, fell behind that of Mr. Prentiss more than 1,300, was in Warren, Mr. P.'s own county, exactly the same—viz. 870.—ED.

TO HIS YOUNGEST BROTHER.

VICKSBURG, *Nov.* 14, 1837.

DEAR GEORGE:—

I returned two or three days since from my electioneering tour, and have delayed writing till I could give you some information as to the result. I have had sufficient returns to assure me of my election by a larger vote than either Claiborne or Gholson got in July. Though many of the Democrats would not vote at all, yet I anticipate a full majority of the whole strength of the State, polled and unpolled. My election by a large majority of the votes given, I consider placed beyond doubt. As you anticipate in your last letter, I shall *claim* my seat, and armed with the great "democracy of numbers," as the Democrats call it, I have some hopes of procuring a reversal of the outrageous and party-vote in Congress. Claiborne and Gholson have ruined themselves by their course, which has created very great excitement here. I visited forty-five counties during my canvass, and performed a task in riding and talking unparalleled, I imagine, in electioneering annals. For ten weeks, I averaged upward of thirty miles a day on horseback, and spoke two hours each week day. I had my appointments made in advance through the State, and did not miss a single one, rain or shine. I enjoyed excellent health during the trip. In about two weeks, if I am not much mistaken in my calculations, I shall be wending my way to the Federal City, though I consider it extremely doubtful whether I succeed in obtaining the seat. I found a number of letters from home on my return, and need not assure you that they were welcome messengers. I was much alarmed to hear of mother's illness, but trust, from your last, that she has entirely recovered. It was fortunate you had moved before it occurred, on account of the superior comfort of your present situation. S. was here on my return, and is still with me. He is well and in good spirits. I shall write again soon, giving you more fully the result of the election as I learn it. My love to you all.

Your affectionate brother,

SEARGENT.

CHAPTER X.

Arrives in Washington—The Lower House of Congress in 1838—Mississippi Contested Election—His first Speech on claiming his Seat—The Admiration it excited—Mr. Webster's and Mr. Fillmore's Opinions of it—Mr. Legare's Reply to it—His second Speech—What followed—The final Result—Is rejected—An Error corrected touching a Remark of Mr. Clay—Public Dinner on the Eve of his Return to Mississippi and a Union Speech of Mr. Webster—Letters.

ÆT. 29. 1838.

He did not reach Washington until near the end of the year. The day after his arrival he wrote home:

WASHINGTON CITY, *Dec.* 27, 1837.

DEAR GEORGE:—

I am at length in the "city of magnificent distances." I arrived here last evening, after an exceedingly tedious and disagreeable trip up the river and across the mountains. I left Vicksburg about the 10th inst., not so soon by two weeks as I had expected; but the returns of the election came in so slowly and I had so much private business to arrange, that it was impossible for me to leave at an earlier period. I see, however, that some of the newspapers have had me here for a fortnight, and one of the letter writers has even taken the liberty of resigning for me. I have not yet arranged my plan of operations, but shall do so in a day or two. I wish, first, to look about me and see how the land lies. I have my credentials and everything necessary for presenting the matter in the most imposing attitude. I shall have a vigorous contest, and the result is doubtful; but my impression is that I shall obtain the seat. There would be no difficulty in the case, were it not that it will be made a party question; and the Van Buren party are in too des-

perate a condition to give up, without a struggle, the two votes of Claiborne and Gholson. By the by, Gholson is very sick, and will not be able to participate in the discussion or to appear in the House. Personally I care very little for the result. I have achieved a triumph in the election, sufficient to satisfy my ambition. I received the largest vote ever cast in the State, between two and three thousand more than Claiborne received in July last, and that too in the face of the most bitter and unprincipled opposition. But enough at present of politics. I shall keep you informed of the progress of events as they occur. I found here a letter from you and also one from Anna, and I shall expect a letter from some of you at least once a week while I am in the city. Tell A. I will order the *Intelligencer* for her. My love to you all.

Your affectionate brother,

S. S. Prentiss.

TO HIS SISTER ABBY.

Washington City, *Jan.* 1, 1838.

Dear Abby:—

I do not believe that I have written to you for a very long period. I will, therefore, make amends by commencing a new year and a letter to you at the same time. And first let me wish you all, a happy, *happy* new year. I would almost give my chance for a seat in Congress to be with you to-day. As it is, I am all alone, looking into books, papers, and documents of all sorts, to prepare myself for a speech in the case of "the Mississippi Election;" but every moment or two my thoughts wander away to Portland, and leave the rights of the people of the State of Mississippi to take care of themselves. But I am with you in fancy, for I am so near you now, that imagination has little difficulty in accomplishing the rest of the way. I wrote to George the day after I arrived here, since which nothing of importance has occurred. I presented my credentials to the House; they were referred to the Committee on Elections, with instructions to report the facts of the case, and I imagine

that in the course of a week the committee will report. Thereupon a discussion of a week or two, I suppose, will follow, in which I shall participate, and at the end of that period a final decision will take place. I am at present strongly inclined to think that I shall succeed in obtaining the seat, though it is difficult to judge as to the result of the case, on account of the strong party-feeling which is excited in relation to it. I feel but little interest in the matter, except that my pride is somewhat involved. If I am not admitted, I shall come on and see you at once. If I am admitted, I shall not be able to leave until the end of the session. You must all write me, and that often, and I shall keep you advised of everything of interest which occurs to me. My love to all.

Your affectionate brother,

SEARGENT.

The Lower House of Congress embraced, at this time, an unusually fair representation of the political talents and intelligence of the Nation. The names of a portion of its members yet survive; some few of them will be likely to last as long as the Republic; but the greater number already are buried in oblivion, or known only in the local circles to which they retired. It is interesting to look over an old Journal of Congress, and then reflect on the ephemeral character of popular honors, as indicated by such a review; a young man, tempted to barter away his self-respect and independence of opinion in exchange for some transitory office, could hardly be put to a more salutary task. In no other way, perhaps, could he better learn, that political fame is a very rare attainment—the fruit of great abilities, combined with uncommon toil, patient study, experience and favoring circumstances—and that, therefore, the pursuit of it by ordinary men is utterly visionary. Even the most brilliant talents for public affairs, win only a passing notoriety, unless backed by time, fortune, and sub-

stantial labor. If Henry Clay, Webster, and Calhoun, had all died at the age of forty, distinguished as they even then were, how small a figure would either of them have made in the history of this country, compared with the colossal space which his fame will now occupy !

Among the members of the House at this session, were the venerable Ex-President John Quincy Adams ; Millard Fillmore ; Thomas Corwin, of Ohio ; James K. Polk ; Messrs. Bell and Hunter, now members of the Senate ; George Evans, of Maine ; Levi Lincoln and Caleb Cushing, of Mass.; Ogden Hoffman, of N. Y ; Henry A. Wise, of Virginia ; Legaré, of South Carolina ; Wm. C. Dawson, of Ga. ; John Sergeant, of Pa. : and others distinguished then, or since, in public life.

The interest of the Mississippi contested election was very much enhanced by the precarious and nearly balanced state of parties in the House. The financial policy of the Administration had loosened the confidence of many of its friends, and already were several of them on the point of deserting it. The members from Mississippi, chosen at the special election, were not of this number ; their votes were safely to be relied on ; upon their retaining their seats, therefore, the Executive policy was quite likely to depend. Some of the weightiest measures ever adopted by Congress, and not a few of the most momentous national and State elections, have turned, as is well known, upon the suffrage of one or two men ; so that the importance of a *single vote* has passed into a proverb.

It seems, at this day, almost incredible, that there should have been two opinions among intelligent men, concerning the claim of Messrs. Word and Prentiss to seats in the House of Representatives, on presenting their credentials to that body. Now that the motives and passions of the hour have passed away, the case appears plain as daylight;

its bare statement is a demonstration of the right. But it is no easy matter to see even daylight against the compulsion, or blind instinct of party feeling and discipline. Truth itself looks false in the presence of such influences. Nor is this to be regarded as wholly the fault of individuals, or as a peculiarity of any one party. For it lies in the very nature of parties, whether political or religious, that their members should be more or less their unreasoning instruments; and that the spirit and interests of the body should predominate over all other considerations. In this fact consists both the good and evil of this species of organization; it is at once the ground of its efficiency and of its debasing, odious despotism. One party may be constructed upon broader, and more beneficent principles, or be animated by greater intelligence and wisdom than another; and in that case, it will, of course, be likely to contain a larger number of men who think and judge for themselves; but in itself considered, the spirit of party, whether in Church or State, is always and essentially dictatorial, intolerant and one-eyed; only minds of the highest quality are able to rise above, or to see beyond it. To expect that in excited times, and especially on questions involving important party interests, the many will act from the impulses of that magnanimity, candor, love of truth and reverence for justice, which belong only to the noble, elect few, is a visionary hope; one might almost as well look for stones soaring, like birds, into the air.

The facts, bearing upon the Mississippi contested election, were briefly these: In consequence of President Van Buren's proclamation, calling a special Session of Congress, Governor Lynch, of Mississippi, issued a writ, commanding the sheriffs to hold an election for Representatives, to fill what he regarded as a constitutional "vacancy," "*until superseded by the members to be elected at the next regular election, on the first Monday and day following, in Novem-*

ber next." At this special election, which occurred in July, Messrs. Claiborne and Gholson were chosen ; and received their credentials from the Governor for the period anterior to the November election. At the regular election in November, Messrs. Prentiss and Word, as we have seen, were chosen by a large majority to supersede Claiborne and Gholson. But, in the mean time, these latter gentlemen had been declared by a resolution of the House, to be duly elected members of the whole twenty-fifth Congress ; upon presenting their credentials* to the House, therefore, Messrs. Prentiss and Word found their seats pre-occupied.

The question, thus arising, led to an elaborate discussion of more than two weeks. No case of contested election ever before had created such universal interest. Indeed, no similar case had occurred since the establishment of the Constitution. The excitement in Congress was vehement, and it was felt throughout the country. This was owing in no small degree, as has been said, to the nicely-balanced

* The following is a copy of the certificate of election :

THE STATE OF MISSISSIPPI.

Executive Office.

JACKSON, *Dec.* 4, *A. D.* 1837.

WHEREAS, an election was held in this State on the first Monday, and the day following, in November, A. D. 1837, according to the Constitution of the United States, and the constitution and laws of Mississippi, for Representatives of the United States of America ; and, whereas, it appears from the official returns, made to the office of the Secretary of State, that Seargent S. Prentiss and Thomas J. Word received, each, a majority of the whole number of votes cast for Representatives to Congress,

Now, therefore, I, Charles Lynch, Governor of the State of Mississippi, do hereby certify that said Seargent S. Prentiss and Thomas J. Word are duly, and according to the Constitution of the United States, and the constitution and laws of the State of Mississippi, elected Representatives in Congress from the State of Mississippi, to serve for the 25th Congress of the United States of America. In testimony whereof, I have caused the great seal of the State to be herewith affixed, at the city of Jackson, the Capital of said State, this 4th day of December, A. D. 1837.

CHARLES LYNCH.

By the Governor :

BARRY W. BURR, *Secretary of State.*

state of parties in the House, and also to the vital importance of the principles involved ; but it was, in the end, still more owing to the masterly ability and eloquence of the youthful claimant.

Very few of his auditors had ever heard or seen him, while to most of them his very name was, until a short time before, entirely unknown. Vague reports, however, of his remarkable character had preceded him to Washington City, and his Mississippi friends, who chanced to be at the Capital, were not backward to make their boast of him. Indeed, nobody, who had once heard him at the bar or on the stump, seemed to feel the slightest doubt of his triumph. This, of course, only increased the difficulty and responsibility of his position. "I am much gratified," writes Ex-Governor Quitman to him, January 17, "to learn from your letter of the first instant that the State has fair prospects of being represented by the men of her choice and not by counterfeits. I have never doubted that you would succeed in obtaining your seat. I could not doubt it. Congress dare not refuse our claim to representation. You have taken precisely the proper course. Insist upon it. Never give it up. We await with great anxiety further information on this vital question. I long to see you on the floor. I wish, sincerely wish, that I were with you. * * Your many friends here are looking with very great interest upon your movements. Much is expected from you. If you have ambition for distinction, you will not be sorry to find yourself and colleague, from a combination of circumstances, placed in a most conspicuous position before the whole Union. I have no fears for you. I have confidence not only in your talents, but in your discretion and tact." So far as concerned the defence of his claim, these friendly anticipations were not disappointed. The delight and admiration, called forth by his opening speech, knew no bounds. On the day

set apart for him to address the House, nearly all the members were in their seats, the galleries were crowded, and every eye and ear were fixed in eager expectation. His first sentence riveted the attention of the whole audience, and each succeeding sentence increased the surprise and pleasure awakened by the first. Some, anticipating an outburst of fervid but unpolished declamation, were charmed to find themselves listening to an orator, whose logic was as accurate and subtle as that of a schoolman, while the fairest gems of literary culture adorned his rhetoric. Others, expecting a violent partisan harangue, were no less astonished to find themselves in the presence of a statesman and jurist, discussing, with patriotic zeal, a great principle of constitutional law. He had not spoken long ere the fact was noised through the other wing of the Capitol, and soon one after another of the grave Senators was seen gliding into the House.

Before he had concluded his argument, which lasted into the third day, the anxiety to hear him became intense. The galleries were crowded to suffocation, chiefly by ladies ; the lobbies and every vacant spot on the floor of the Hall were thronged by Senators, ex-members of Congress, officers of the Army and Navy, members of State Legislatures on a visit to the Capital, eminent Jurists and Judges, distinguished private citizens, and Foreign Ministers. At one time, as your eye glanced around and surveyed the scene, it was arrested, at every turn, by the presence of some illustrious man. Directly in front of the chair, sat John Quincy Adams, the Nestor of the House ; just outside the bar (on the opposite side of the Hall), his tall figure towering above its fellows, stood Henry Clay, generalissimo of the Whig forces, watching with delight his young friend's manful defence ; near him were Judge White, of Tennessee, a white-haired patriarch of his party ; Preston, the eloquent Southern Senator, and Crittenden, the no less eloquent Ken-

tuckian ; close by rose the massive form of Daniel Webster, whose countenance, grave, unmoved, and almost sombre in its aspect, betokened the most profound attention. It was, indeed, a splendid assembly, illumined by a galaxy of genius, worth, statesmanship, beauty and station such as meet together but rarely in a generation—such as Edmund Burke, Charles Fox, or George Canning might have felt honored in addressing. A breathless silence reigned from beginning to end, except as some fine passage ever and anon occasioned suppressed applause from the galleries. The speaker himself was evidently surprised to observe the magical power he was wielding.* He had never before addressed such an audience ; and when he witnessed the rapt attention and caught in their look the mystic signs of delight and approval from such veteran statesmen and orators as John Quincy Adams, Clay and Webster—men, whose names and noble eloquence had been the inspiration of his boyhood—no wonder if he was greatly excited and somewhat astonished at himself. Still both the excitement and surprise were chiefly those of unusual pleasure—the pure *gaudia certaminis*. His entire self-possession never failed him for an instant ; there was no straining for effect, no trick of oratory ; but from the first to the last sentence, everything, in manner as in matter, seemed perfectly natural, as if he were addressing a jury on an ordinary question of law. Indeed, the great charm of this, as of all his speeches, was the simple, unfeigned sincerity which marked his whole bearing and every word he uttered. He felt that he was asserting a great principle, and, in his devotion to that, seemed to forget all personal claim.

* After we had been at Washington some time, Mr. PRENTISS expressed to me his fears lest he should not be able to sustain himself. But when the trial came, he excelled himself. Nobody had formed any correct idea of his transcendent powers. I do not believe he was conscious of them himself.—*Letter from Mr. Wood.*

His peroration was short, but it thrilled the immense assemblage like an electric touch. Much of its force was owing to the tones of his voice, the glow of his eye and countenance, his peculiarly earnest manner, and the high wrought feelings of his hearers ; but no one can read it even now, without admiring its skill and beauty.

The moment he had finished, his friends flocked around him with their enthusiastic congratulations, in which they were joined by not a few of his political opponents.

As Mr. Webster left the Hall, he remarked to a friend, with comprehensive brevity : "Nobody could equal it!" And this may suffice as a sample of the innumerable compliments elicited by his speech. It is still remembered with wonder by all who heard it. Few members of the House were less likely to be misled by false oratory than Ex-President Fillmore. In a letter, dated Buffalo, Nov. 28, 1853, he writes : "I can never forget that speech. It was, certainly, the most brilliant that I ever heard, and, as a whole, I think it fully equalled, if it did not exceed, any rhetorical effort to which it has been my good fortune to listen in either House of Congress. It elevated him at once to the first rank of Congressional orators, and stamped his short but brilliant parliamentary career with the impression of undoubted genius, and the highest oratorical powers. I have never read the published speech, but I apprehend it is not possible that it should convey to the reader any adequate idea of the effect produced by its delivery."

The feeling among his friends in Mississippi, upon hearing of his opening speech, is shown by the following extract from a letter of Judge George Winchester, of Natchez, a man unusually venerated for his many virtues, and who regarded Mr. Prentiss with an almost paternal affection. He writes, under date of Jackson, January 29, 1838 :— "The news that you had delighted a crowded auditory with

the commencement of a speech, transported me. After hearing you, I am sure, a majority of the House could not decide against you. You will have obtained your seat before this reaches you. I do not doubt the result. You were admitted at once as soon as you had finished the discussion. I would have travelled to Washington, if business would have permitted, for the bare pleasure of hearing your speech and witnessing its triumph. Yet here I feel a glow of triumph ; it runs warm through my veins, and animates and enlivens me like a shout of victory—like Homer's description of the eloquence of a Nestor or Ulysses, or as reading the most vivid passages in Shakespeare. Our courts are in session, and I am surrounded with persons talking to me in my room. If my letter is full of blunders, I have no time to correct them. The Chancellor tells me to send his respects, and says there is no man whose success pleases him more. God bless you."

The printed speech is little more than a skeleton. Even the few rhetorical passages, that are retained, have lost much of their original form and beauty. The professional stenographers confessed themselves utterly baffled in the attempt to report him ; and he was quite as unfitted to report himself. Indeed, he complained that he never could reproduce the best thoughts, still less the exact language, of his speeches. Impatient and little practised in the use of the pen, he spoke not only with more power, but in better style than he wrote.

The following letter gives his own brief account of the speech :—

WASHINGTON CITY, *Jan.* 20, 1838.

DEAR GEORGE :—

The "Mississippi Election" is at length upon the carpet. You have, probably, already learned by the newspapers that I have, in parliamentary phrase, been for three days on my

legs; in other words, I have made a three days' speech, and I have no doubt have convinced the House that I *ought* to be admitted. At any rate, as I tell them, whether they let me in or not, I have got my share of the session; for if they divide it out, it will hardly afford three days apiece. I suppose you will wonder what I could talk about so long. That's more than I can tell you; though I have no doubt it was a sensible speech, from the fact that I had an attentive house and crowded galleries, from the latter of which I several times received very audible signs of approbation. Could I have put it to vote in the galleries, especially among the *ladies*, I should have been admitted at once. But in good earnest, I feel highly gratified and flattered by what, I am told, was an unusual attention and interest on the part of the House. Many of the most distinguished senators hon ored me with their presence, such as Webster, Clay, Preston, &c., so that I wanted but one thing to have made me very happy, and that was, that you should all have been present. I have dined with all the above-named gentlemen, since I have been here, yesterday with Mr. Webster and family, and have full as much attention as is agreeable to my modesty. I am more than ever of opinion that I shall obtain my seat, though it will be a very close vote, and I may be mistaken, I will not say disappointed. In the course of two or three weeks, as soon as the matter is decided, I will draw up the heads or substance of my speech and have it published, though I shall not be able to do myself justice in writing it off. My love to you all.

Your affectionate brother,

SEARGENT.

More than a week was consumed by members of the Administration party in asserting the claims of Messrs. Claiborne and Gholson, and answering the argument of Mr. Prentiss. The last speaker on that side was the accomplished Legare, of South Carolina; a gentleman who surpassed nearly all the public men of his time in the depth, accuracy and extent of his classical attainments. The articles

on Demosthenes, the Athenian Democracy, and kindred topics, contributed by him to the *New York Review*, show an acquaintance with ancient literature and politics, which would do credit to a German *Gelehrter;* few things equal to them have ever been written on this side of the Atlantic. His early death was an irreparable loss to the cause of good learning, civil jurisprudence and cultivated statesmanship in the United States.

On the present occasion a crowded house assembled to hear him; but his speech was not considered equal to his reputation. His biographer himself intimates that "brilliant as was the figure which he made throughout that Congress on all other questions in which he took part," his effort in the Mississippi Contested Election was a failure, and that in this instance "he certainly got upon the wrong side."*

On the 31st of January, Mr. Prentiss took the floor in reply. This second speech, while hardly behind the first in logical power and happy illustration, perhaps in some respects even surpassed it. The various arguments, which, for seven or eight days in succession, had been repeated by one speaker after another against the claims of Word and himself, aroused his feelings to the highest pitch. They seemed to indicate a foregone conclusion that the question was to be decided on the ground of party and not of justice. Their weakness, too, as well as the dull, tedious manner in which some of them had been presented, afforded him a good chance for exercising his unrivalled powers of wit and ridicule. Nothing called out the whole of his intellectual forces like strong opposition; and he never used them with greater skill or effect than at a retort. He was especially gratified in having such an antagonist as Legare, and no doubt the

* *Writings of Legare*, vol. i., p. 65.

unbounded applause now echoing though the country in response to his first speech, helped to gird him for the second. The House was, if possible, still more crowded than on the 18th and 19th of January. A queenly array of grace and beauty filled the galleries, while the lobbies, as before, were thronged by senators and distinguished visitors.

Scarcely a written vestige of this speech is preserved. At its close, a vote was taken on the right of Messrs. Claiborne and Gholson to their seats, and decided against them by a majority of seven. The course of things up to this point and until the final vote, is thus described in notes of an address, delivered by Mr. Prentiss at Natchez, shortly after his return to Mississippi :—

The question was referred to a committee; Messrs. Claiborne and Gholson on the one side, and Mr. Word and myself on the other, each contending that his was the Simon Pure representation. The committee were puzzled; they thought we resembled the two Dromios so much that a decision was impossible. When the question came before the House, several able members maintained a vigorous and eloquent defence of the July election, and called forth all their powers to show that the people of Mississippi were wrong in choosing members, according to their constitution and laws, in November; whilst another class, composed of many judicious and eminent politicians, argued a contrary opinion. The first question was taken on the title of Messrs. Claiborne and Gholson; and during the arduous discussion of that question, in which party ingenuity appeared to be exhausted, nothing else was expected to follow a decision against those gentlemen than that the title of my colleague and myself would instantly be admitted. It was certainly not dreamt of that they who, in their solicitude for Mississippi representation on the floor of the House, contended so violently for the validity of the July election, would afterwards turn round and contend, with equal violence, that Mississippi's legal representatives should be

sent back! It was amusing to view the contrast in their doctrines. At first they were as narrow as the bridge that led to the Mahometan Paradise — but anon expanded to a breadth greater than the Way to Death. Their principles were like the tent in the Arabian Nights' Entertainments, which at times was so small that you could hold it in the palm of your hand; while, to suit convenience, it could be so enlarged as to cover a whole field and serve as an encampment for large armies.

A vote was at length taken on the question of the July election, and 119 members declared their opinion that it was null, illegal and unconstitutional, whilst 112 solemnly declared that it was valid and constitutional. This was the rescinding vote.

On the determination of this point, a general satisfaction was visible on the countenances of those in the House. All were in waiting, now that the difficulty seemed to be removed, to hear the November election sustained, and Mr. Word and myself sworn to our seats. To the astonishment of all, however, up starts a gentleman from Maryland, in a state of feverish excitement, and, to the great and unsurpassed amusement of the House, with a voice which sounded to the ear like the very essence of pathos—begged the House to *pause!* And for what? Why, to find out that, as two men of the same political views as his had claimed seats as Representatives from Mississippi against the will of the People, but could not retain them—therefore that Sovereign State was entitled to no representation at all, and her Constitutional Representatives must be sent home also. It was impossible to refrain from a smile at that gentleman's (Mr. Howard's) apparent feelings on this occasion. He spoke as if some dire misfortune was about to befall the Capitol. A discussion ensued, the result of which was, that the gentleman's pathetic appeal was supported, and your constitutional claims again postponed.

Need I picture to you my burning indignation at this result? From that moment I continued with unabated zeal to press a decision; day after day and night after night I watched with sleepless vigilance the proceedings of the House; and although I could discover manœuverings going on in certain quarters, which

boded no good to your cause, still I could not find a reason why your right of representation was trifled with. At length, however, one night which I shall long remember, those members who were adverse to you, gave notice that they were prepared for a decision. Now was unravelled the mystery of their delays, and there might be seen carried into the Representative Hall, men, whose sickness had prevented them from leaving their rooms, or attending to the business of the House for six weeks before; others who appeared fitter for their coffins than their seats, and in such a ghasly state that one might well look around him to find where their graves had been dug. It was, indeed, hard to tell to which world they belonged.

It may be well here to remark, that the question was not now whether A. or B. had a right to seats, but whether the State of Mississippi was entitled to representation. The difficulty interposed by the presence of Messrs. Claiborne and Gholson had been removed. There was left, then, not a shadow of a pretence for members to travel beyond the true question—Is Mississippi a member of this Confederacy or not?

The vote was taken—it was a tie—and a certain gentleman who occupied the Speaker's chair, issued his soft veto on your claims. As deeply interested as I felt in the question just decided, as vital as it was to the rights and honor of the State for whose claims I had been battling—for a few moments I could not avoid philosophizing on what

"Great effects from little causes flow!"

We are told that in ancient times great events were attended by preternatural phenomena: earthquakes shook the world to its foundation, and the thunder's awful roar warned mortals that some momentous occurrence was approaching; and I could scarcely credit my senses when I heard the most sacred rights of this Union wrenched from the State of Mississippi by the still small voice, like that of some delicate woman, of Mr. Speaker Polk. This voice of usurpation was in tones so weak that, inclining my ear towards where he sat, I could scarcely hear its attenuated sound. I confess I looked upon the matter as some-

thing curious. For a while I pondered on the whole transaction, and was lost to a sense of its importance.

Thus, then, was the sacred right of Representation, for which our fathers fought and bled, denied to one of the Sovereign States of this Union, and that in the face of two classes of votes, given in the same assembly, which contended that such right was hers. For, as I have said, 112 members decided that she was entitled to be represented by her July delegation, while 117 other members afterwards supported her constitutional election in November. Here we find 229 members solemnly deciding that you had a constitutional representation, leaving five or six of all parties denying that you had a constitutional representation; and yet, by a curious combination, the Journal of the House shows a subsequent vote, which denies any representation!*

The following reminiscence by Mr. Word, will recall to many readers the charge of grossly insulting the Speaker of the House, so industriously circulated at the time against Mr. Clay:—

* For several hours the Hall was a perfect Bedlam. Between three and four o'clock a call of the House began, which drew up recruits from all quarters. Of 240 members, 236 were in the city. Horses and carriages, officers and messengers were sent in every direction to bring in the missing. A member from Vermont appeared off a sick bed, looking like the ghost of Hamlet's father; another, from Kentucky, prohibited by his physician from leaving his room, was led in by two of his brethren, looking as if he had deserted the tomb—pale, dejected, with no power to support his own weight or lift his hand to his head; another Western member, his face woe-begone, seemed to be in his grave-clothes. At length, after hideous cries of "*question*," "*question*," "*order*," "*order*," Mr. Howard's resolution came up: "*Resolved*, That S. S. Prentiss and Thomas J. Word are not entitled to seats in the twenty-fifth Congress." The question came up upon the adoption of the resolution; clouds rested upon the result; breathless silence reigned throughout the Hall: not a voice, scarce a whisper, was heard through the immense crowd, filling every nook and corner. At length the result was announced—117 to 117. There was a moment's pause, and the Speaker said, "*The Chair votes in the affirmative;* THE RESOLUTION IS ADOPTED!" Thus was the long agony of three weeks ended. Mr. Wise instantly rose and poured forth an indignant rebuke. Mr. PRENTISS followed, and, in a speech of five minutes, denounced the decision of the House as an act of palpable and gross "legislative usurpation"—declaring it to be the first of its kind on the records of Congress.

Correspondence from Washington, Feb. 6, 1838.

I well recollect an incident which occurred immediately after the final vote was taken, and which soon gained great notoriety in a very distorted form. Almost all the members of the House were present, and we were rejected, as you know, by the casting vote of the Speaker, Mr. Polk. The Speaker's chair was on the north side of the Representative Hall, and Mr. Clay, Mr. Preston, and other Senators, were in the lobby on the south side. While the vote was going on, I had taken a seat near the chair, and, keeping tally, ascertained that it was a tie. The clerk handed the vote to the Speaker, and was directed by him, in an under tone, to cast it up again. While this was being done, I walked across the House to Mr. PRENTISS, who was standing within the bar, conversing with Mr. Clay, who was just outside the bar. The relative positions which they occupied, placed Mr. PRENTISS directly between Mr. Clay and the Speaker. I showed Mr. P. the vote, and remarked that it was a *tie*. This called the attention of the group to the fact, and instantly all eyes were turned to the Speaker. You will recollect that this was in 1838, long before Mr. Clay had attached himself to the Church. You will also remember that the greatest familiarity, as well as the greatest friendship, existed between him and Mr. P. Keeping these things in mind, you will readily perceive how completely the incident was distorted, and how wholly misapplied was the language of Mr. Clay. When the clerk had run over the vote again, he handed it to the Speaker, who stated it to be a tie, and then himself voted to vacate the seats. Upon this announcement, Mr. Clay, playfully pointing at Mr. PRENTISS and addressing him, said: "Now go home, d—n you, where you ought to be!" All joined in a hearty laugh, and so the matter passed out of mind. But before we got home, the language of Mr. Clay was applied by some of the letter writers and newspapers as *addressed to Mr. Polk*, and that in the most profane, exaggerated form. You know what scandalous use was afterwards made of the charge.* How Mr. Clay's remark could have been addressed or applied to the Speaker, no sensible man could comprehend.

* See *e. g.*, editorials of *The Globe*, the then official organ, for February 10, 12, and June 2, 1838.—ED.

I have always supposed that the person who gave publicity to the incident, must have been misled by not observing the relative position of the parties; Mr. Prentiss standing, as I have said, between Mr. Clay and the Chair, Mr. C. pointing at Mr. P. might seem to point to the Speaker. The publisher of this occurrence may have been unaware, too, of the close intimacy and familiarity which existed between Mr. Prentiss and the illustrious Kentuckian. But be this as it may, the facts were as above stated, and I am happy to give them to you, that justice may be done to the memory of these two great and good men.

A day or two after they were rejected, the House passed a Resolution, directing the clerk to pay Messrs. Word and Prentiss the usual *mileage* and *per diem*, while they were contesting their seats, amounting in all to nearly $2,000 apiece. But they disdained to touch it.

The result of the Mississippi Contested Election only served to increase the public interest in Mr. Prentiss. His manly bearing throughout the struggle, and the fearless spirit, as well as the eloquence, with which he had defied the whole force of the administration, secured for him the respect and even admiration of his more generous opponents; none expressed for him those sentiments more cordially than Mr. Legaré; while the pride and high hopes which his course excited in his own party, were only equalled by their disappointment at his defeat, and the fear that he would not come back. On the eve of his departure for Mississippi, he received a very striking proof of the regard felt for him by the most distinguished members of his party, in the tender of a public dinner. A noticeable incident of this occasion, was a Union speech by Mr. Webster, made late in the night, which the guest, speaking of it several years afterwards, declared to have been the most wonderful outburst of eloquence that he ever heard. He described it as marked

by all Mr. Webster's simple majesty, perspicuity and strength of thought, but with the addition of an impassioned fervor and inspiration of feeling, such as no one present had ever before witnessed in him.

The following letter to his elder sister, will fitly close this chapter :

WASHINGTON CITY, *Feb.* 14, 1833.

DEAR ABBY:—

I informed you in my last, of the result of my business here, which I presume you have also learned from the papers. Though not quite as successful as I expected, yet on the whole, I believe I have, personally, no cause to complain. I am perfectly satisfied with what I have seen of political life, and without having my opinion of myself in any degree raised, I can truly say that my estimation of others is sadly diminished. I had no idea of the want of principle as well as the want of sense which characterizes a large portion of the political men of the nation. For my own part, I am heartily sick of the whole matter, and shall feel greatly obliged to the people of Mississippi, if they will allow me to retire. I think, however, that they will send me back here, and if they wish to do so, I feel bound to submit to their wishes. I had the honor of a very high and gratfying compliment on Saturday last. It was a public dinner given to myself and my colleague, by the Whig members of both Houses of Congress. There were about seventy or eighty present, among whom, were Messrs. Clay, Webster, Crittenden, Southard, Judge White, Evans, Bell, Wise, &c., &c. Indeed, it is said to have been the most talented selection of gentlemen that had ever assembled here at the convivial table. Many speeches were made, and the whole affair passed off very finely. I need not tell you that I was much gratified by the attention and personal regard of such men; though, generally speaking, I am not ambitious about such matters, and, indeed, most of the gratification I experienced, arose from the reflection that it would afford, perhaps, some pleasure to my mother and sisters. I have just got a portion of my first

speech printed, and will send you some copies to-morrow. You will find it rather a dry thing, as I was compelled, in writing it out, to omit most of it, except the argument on the constitutional point. Had I written all I spoke, it would have made a volume; for I spoke altogether, from ten to twelve hours, and that pretty fast. But I need not make apologies to such partial critics as you will all be. Tell George not to make as much fun of my prose as he does of my poetry, or I will get hold of some of his productions and retaliate. You must write me immediately at Vicksburg. Tell Anna she must mind and get well by the time I come home in the summer. My love to you all.

Your affectionate brother,

S. S. PRENTISS.

CHAPTER XI.

Speech on the Mississippi Contested Election.

We give in this chapter the larger portion of Mr. Prentiss' first speech on claiming his seat. Aside from the importance of the principles discussed, it is entitled to a place here as one of the very few remains of his argumentative power. The reader will, probably, admit that it does no discredit to this feature of his eloquence.

Mr. Speaker:—As an individual, I thank the House for the courtesy which has been extended to me. On behalf of the State of Mississippi, I acknowledge the somewhat tardy justice which has at length permitted her to be heard upon the question of her right to choose her own representation on this floor.

The first use I shall make of the privilege accorded to me will be to set the House right as to the attitude of the question, for I perceive that many members labor under a misapprehension on this point, and I am anxious that the position I occupy in the matter should be distinctly understood. I have petitioned this House for nothing; neither have I memorialized it. I have presented myself here as a Representative from the sovereign State of Mississippi to the Congress of the United States, and claim a seat on this floor, not as a matter of *favor*, but as a matter of *right*. I produced my credentials, properly authenticated, showing my due election, according to the laws of that State, and demanded to be sworn. No one objected to the legality of the election; no one questioned my qualification or the correctness of the returns; neither was there any doubt as to the authenticity of the credentials. The State of Mississippi, it was admitted on all

hands, had, through her highest organs, and in accordance with the provisions of her Constitution and laws, solemnly accredited me as her Representative. It was objected, however, that the seats belonging to that State were already filled, as appeared by a resolution of the House, adopted at its last session, which resolution the State had no right to gainsay.

You, sir, refused to administer the oath, and referred the matter to the House. The House referred it to the Committee on Elections, with instructions to report the facts of the case, which report, with the resolutions based thereupon, is now the subject of discussion.

Had I been permitted, I should have objected to this reference. I thought then, and still think, that a committee had no business with the matter. It was not a case of contested election. No one denied the due election and return of my colleague and myself. Our credentials were perfect and unimpeached, and the only question which arose was upon the right of the State of Mississippi to hold any election in November for Representatives to Congress. The State had claimed the right, had exercised it, and through me, had asserted it to this House. No one gainsayed the election, qualification, or return. It was the *right of election* itself which was controverted, and not the right of those claiming under it. The State of Mississippi asserted her right in November last to elect Representatives to the 25th Congress, in obedience to her laws, which she believes to be constitutional, and binding upon this House. The House denied the right, and set up its own action against it. Now, as far as the House had jurisdiction to decide upon this collision between itself and the State, I thought it could and should have proceeded at once, without the intervention of a committee.

I listened with feelings of deep regret and alarm, to sentiments expressed by honorable gentlemen, whose only advantage over myself has arisen from an earlier action on the part of the States which they represent, and an assertion of their claims at an earlier period than was practicable on my part. Sir, is there a gentleman on this floor who holds his seat by virtue of a law more definite, under credentials more perfect, with an expres-

sion more extensive or more decisive of the popular will, than what were exhibited and admitted in the present instance? And yet it was said that the high and solemn authentication, by a State, of her Representative here, stands upon the same footing, and is entitled to no greater consideration than an humble memorial, or a beggarly petition. Yes, sir, one of the twenty-six States of this Confederacy, constitutionally entitled to furnish and compose a portion of this very body itself, stands, when asserting such right, in no better attitude than a private individual praying for a place, or petitioning for a pension. I protest against such doctrines; they are equally degrading to the character of the States and of this House, composed, as it is, of the Representatives of those very States whose rights are treated with such contempt. I deny that the action of a great independent political community is entitled to no other attention, or is subject to the same technical rules of procedure as the action of a private individual.

Some benefit, however, I will acknowledge, has resulted from the reference; the facts are now all before the House in their most authentic form, and, though portions of them have but little bearing upon the main question in controversy, to wit, the *right of election*, yet I doubt not they will produce a salutary effect in diminishing the prejudice which has arisen from an *ex parte* and mistaken view of the case.

In performing the high errand upon which I have been sent, I am conscious of the serious disadvantages under under which I labor. In the first place, I am a stranger here; and the claim which I advance is opposed by two gentlemen who doubtless possess and deserve the sympathies of this House. These gentlemen, too, are in full enjoyment of the subject-matter of dispute, and upon their side is enlisted that natural prejudice which all mankind feel in favor of possession.

One of them (Mr. Claiborne) has, in advance of this discussion, submitted to the House an address, in which, with great skill, he appeals to the personal friendships and social relations which he has so long had the opportunity of forming. Indeed, they have all the advantage of position. I come to them an unwel

come messenger from their master, that great Sultan, the People, bearing as a present the political bow-string; and it is not to be expected that the rebellious Pachas will consent to be *choked off* without a struggle. Indeed, they boast that they have, long since, entered into a treaty with this House, by which the House is bound to protect them in their treasonable practices, and to interpose its broad shield between them and their justly exasperated sovereign.

I regret the position which I am compelled to occupy in relation to these gentlemen, with both of whom my intercourse has always been marked by the most kindly feelings. I have, however, a high duty to perform. I act for others, and not for myself; and I should be unworthy the confidence which has been reposed in me did I allow any personal considerations to influence my action or bias my judgment.

A portion of the public press has interfered in this matter in the most licentious manner. Even since it has been undergoing an acknowledged judicial investigation by this House, the question has been decided out of doors with an air of *ex cathedra* authority, which is manifestly intended to have an effect here. The official organ itself has spoken, and with an ignorance of the law only to be equalled by its perversion of the facts. I have alluded to this matter merely to inquire whether the god or the priest alone, is responsible for the lying oracle; to deprecate *Executive* interference in this controversy; and to express my hope that the sword of Brennus is not to be cast into the scale, compelling, by its massive weight, right and justice to kick the beam.

Rumor, through some of her hundred mouths, has bruited it abroad that this case would be decided not upon its merits, but upon party grounds. In accordance with her ancient custom, she surely lied; for, when I cast my eyes around, and behold collected here the selected wisdom and worth of this mighty nation, I cannot restrain my indignation at the foul and groundless slander. What! the right of representation of a whole State to be decided upon party grounds! the elective franchise to be sacrificed at the shrine of party! I do not believe it, sir,

I do not believe it. A degree of corruption which would warrant such a supposition, exceeds my comprehension. I have a better opinion of my kind; and, if I had not, sir, I would trust to fear even after I had lost confidence in honesty. No party in this country dares tamper with the elective franchise of a whole State. No party dares remove a corner-stone at the risk of bringing the whole edifice tumbling about their ears. No party dares place the match to a magazine, whose explosion, they must know, will blow them to atoms. The People guard with more than Argus-vigilance the right of representation, for it has not been long since their fathers fought for it; and woe betide the party which shall attempt to steal from them the Hesperian fruit.

Did I think that rumor spoke truth; that faction would usurp the seat of judgment, and partisan prejudice, instead of the Constitution and the laws, furnish the rule of decision, then, indeed, I should deem it worse than useless to trespass upon your patience. With slow and melancholy steps I should return to those who sent me here, and tell them that the days of the Republic were numbered; that the spirit of liberty had departed, and in its stead a demon had entered and taken possession of the body, directing its movements and controlling its functions.

I would that I wielded the spear of Ithuriel, that with it I might touch the foul fiend of party, should he dare "squat like a toad" to whisper false suggestions in the ear of this House; then would he start up in all his horrid deformity, with a visage more hideous than that of the dark Mokanna, the Veiled Prophet of Khorassan.* But, as I have said, I cannot believe there is

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* Dreadful it was to see the ghostly stare,
The stony look of horror and despair,
Which some of these expiring victims cast
Upon that mocking Fiend, whose veil, now raised,
Showed them, as in death's agony they gazed,
Not the long-promised light, the brow, whose beaming
Was to come forth, all conquering, all redeeming,
But features horribler than Hell e'er traced
On its own brood; no Demon of the Waste,
No church-yard Ghole, caught lingering in the light
Of the blest sun, e'er blasted human sight
With lineaments so foul, so fierce as those
The Impostor now, in grinning mockery, shows.
Lalla Rookh.

anything to fear on this score. The hounds of party may howl around these walls, but surely they will not dare to enter within their sacred precincts.

In approaching the subject of this controvery, I confess, Mr. Speaker, I am filled with alarm at the magnitude of the task I have undertaken. In ordinary questions of law, decision travels with confidence and ease upon the highway of precedent, but penetrates, with slow and doubtful steps, among the less beaten paths of constitutional construction. In searching into the principles of organic law, in examining and measuring the exact extent and relative position of the pediments and arches which sustain the pillars and walls of the political fabric, skill and experience should be the companions of reason. I am aware how greatly I lack both. I know that I have around me materials more than sufficient for the construction of an impregnable argument; but that very abundance, from which the eye of a more experienced artificer would select at once the portions most appropriate for the work, distracts my attention and confuses my choice.

Sir, this controversy is of an importance unsurpassed by any that can arise out of our political system. It involves not merely the question, whether A. or B. is entitled to a seat on this floor as the Representative of the People of the State of Mississippi; but the question, also, whether the right to choose such Representative resides with the People of that State, or in this House; whether the laws of that State, enacted in accordance with an express mandate of the Constitution of the United States, are mere nullities; whether the executive authority of a State has the power, at his discretion, to abrogate and nullify an admitted constitutional law. It involves more than this; it involves the question whether this House can, under cover of its power of judging of the elections, qualifications and returns of its members, nullify a constitutional law of a State, or of Congress, fixing the time for the election of Representatives to Congress. This is not all; it involves the right of the delegations of one-half of the States to the very seats which they now occupy. In fact, it involves the constitutional character of every House of Representatives that ever assembled in this hall. Such are some

of the considerations which will arise in this discussion, and I doubt not, their magnitude and importance will command attention, and insure the most mature deliberation.

I lay down the following propositions, which I shall endeavor to demonstrate in the course of my argument:

1st. That Messrs. CLAIBORNE and GHOLSON never were constitutionally or legally elected Representatives from the State of Mississippi to the 25th Congress; and that the election in July last, under which they claim, was absolutely and wholly void—a mere nullity.

2d. That, if said election was good for anything, it was good only for the period of time anterior to that fixed by the law of the State for the general election, to wit, the first Monday and day following in November; inasmuch as said July election was ordered to fill that period only, and was holden by the electors for the purpose and with the intention of filling that period only; and that, in point of fact, no election was ordered or holden in Mississippi in July last for Representatives to the 25th Congress.

3d. That, in November last, my colleague and myself were constitutionally and legally elected Representatives from the State of Mississippi to the 25th Congress.

But I am met upon the threshold by the gentlemen, and told that I shall not be permitted to demonstrate a single one of these propositions; that, at the special session, a resolution involving them all was adopted by this House; that the whole matter became thereby *res adjudicata;* and that the decision, so made, was final and conclusive, incapable of revision, and binding upon all the world. They tell me that, even admitting the three propositions laid down by me to be true, still they are entitled to their seats, by virtue of the judgment of this House; and that, by said judgment, the State of Mississippi is estopped from proving that they are not her Representatives. Such is the position which the gentlemen have assumed before the committee, and such is the ground which they occupy before the House. Dipped, Achilles-like, in this judicial Styx, they deem themselves invulnerable; but I trust I shall be able to find some soft place in heel or head, to which the arrow of truth may cleave its way.

Have the gentlemen considered well the attitude in which they place themselves by this course? Was not their better angel nodding at his post when they resolved upon it? Was there nothing in the manner and circumstances under which that decision was obtained, which should make them feel a particular delicacy in using it for the purpose of smothering the present investigation? Whither has fled that lofty magnanimity which, at the last session, induced the gentlemen to institute proceedings against themselves, for the purpose of ascertaining the rights of their constituents; that delicate sensibility which could not brook a shadow of doubt as to the legitimacy of their representative character; that fostering protection of the elective franchise; that deep veneration for the voice of the People; that ready obedience to their will?

Do the gentleman really wish to represent the People of Mississippi, whether they will or not? Do they actually intend to set up a majority of seventeen votes here against a majority of seven thousand at home? Did they obtain this decision for the purpose of extending the powers delegated to them by the People? Whom do they consider their constituents, the People of Mississippi or the members of this House, that they should base their rights here upon the action and will of the latter, instead of the former? Does not their valor outrun their discretion in this matter? A bold man was he, that ancient one, who stole the fire from Heaven and hid it in a hollow reed; but not less bold is he who would steal the elective franchise from the people of a whole State, and hide it in a hollow decision of this House. Let them remember the fate of Prometheus, "the vulture and the rock." Come, I cast down my glove, and challenge them to do battle upon the merits of this cause. What! are they afraid to break a lance or shiver a spear in fair lists upon the open plain, that thus silent and sullen they retire behind the wall, and hide in an intrenchment, constructed, one would judge, for the very purpose of protecting themselves against their constituents? Perhaps they are content with the laurels won on a former occasion, when, as I am told, in right knightly style they held a passage at arms, and challenged all comers. They pranced,

it is said, in gallant guise around the lists, and their trumpet of defiance rung forth loud and clear. But well they knew the while, that two thousand long miles, with many a lofty mountain and many a broad and rushing river intervened between themselves and those whom they thus summoned to the contest. That summons is at length answered by the People of Mississippi, on whose behalf, and as an humble champion of whose rights, I now appear. Fast and far I have ridden to meet the gentleman's high defiance. Ivanhoe has returned from the Holy Land, and the Disinherited Knight dares the proud Templar to the combat.

Again, and for the last time, in the name of Mississippi, the lady-love whose gage we both profess to wear, I call upon the gentlemen to come forth from their castle of "*res adjudicata*," as they call it, and meet this controversy upon fair and open ground.

They decline the invitation. Well, if they will not come to me, I will go to them. I will attack this fortress in which they have taken refuge. It strikes me that it can be either stormed or starved into a surrender; for I do not believe that its defences are tenable, or its garrison victualled for a very long siege. Let the gentlemen remember, too, that they have rendered themselves fully liable to the operation of that rule of war which denies quarter to those who attempt to defend an untenable position.

Let us now examine into the character of this *res adjudicata*, which, like the seal of Solomon, has closed up the whole matter.

At the special session of Congress in September last, Messrs. Claiborne and Gholson appeared and took their seats on the first day thereof, as Representatives from the State of Mississippi. They participated in the organization of the House, and in all business transacted by it, until the fourteenth day of the session, when Mr. Gholson introduced the following resolution, which was adopted by the House: "*Resolved*, That the Committee of Elections be instructed to report *upon the certificate of election of Messrs. Claiborne and Gholson*, the members elect from Mississippi, whether they are members of the 25th Congress or not;

and that said committee take into their consideration the proclamation of his excellency Charles Lynch, Governor of said State, and the writ of election issued in accordance with said proclamation on the 13th day of June, 1837, and also the act of the legislature of the State of Mississippi entitled 'An act to regulate elections, approved March 2, 1833.'" Upon this reference the Committee of Elections made a report, concluding with the following resolution: "*Resolved*, That Samuel J. Gholson and John F. H. Claiborne are duly elected members of the 25th Congress, and, as such, are entitled to their seats." This resolution was adopted by the House, and its adoption constitutes the *res adjudicata* which the gentlemen set up as final and conclusive of the whole matter, both upon the House and upon the State.

Now, with regard to this action of the House, I take the following points:

1st. That it was not a judicial act of this House at all, nor was it adopted by this House acting as a judicature.

2d. It was not a decision or adjudication upon the election, qualification, or return of myself and colleague, our election and return having taken place long since said pretended adjudication.

3d. That so far as said pretended adjudication goes to alter or annul the law of Mississippi, fixing the time for the election of her representatives to the 25th Congress, it is void; this House having no power, either legislative or judicial, to alter or annul a constitutional law of a State fixing the time for the general election of her representatives to Congress.

4th. Said pretended adjudication is not conclusive upon the State of Mississippi, because, she was neither a party to the proceeding upon which it was based, nor had any notice thereof, either actual or constructive.

5th. Said pretended adjudication was founded upon palpable mistake, and the House is bound to review it.

1st. The adoption of said resolution was not a judical act of this House.

Messrs. Claiborne and Gholson were in possession of their seats, participating in all the business of the House: no one contested their election, and the resolution introduced by them-

selves originated entirely out of their delicate sensibilities on the subject, and was nothing more than an application to the House for its advice and opinion upon the validity of their return. Such was the understanding and view of the committee, as appears from the following extract from their report: "No objection," says the committee, "is made from any quarter to the right of the gentlemen elect to their seats, only by and through themselves; on account of the peculiar circumstances under which the election was held, their own delicacy and sense of propriety have prompted them to invite a scrutiny into their right to seats in this House."

This shows that the whole proceeding originated in the tender consciences of the gentlemen, and that the House was applied to as a sort of Lord Chancellor, to quiet their scruples; the resolution of reference did not contemplate or authorize an investigation either into the election or qualification of the sitting members; the reference is special, "instructing the committee to report upon the certificate of election of Messrs. Claiborne and Gholson, the members elect from Mississippi, whether they are members of the 25th Congress or not," &c. This confined the committee to the return alone, and the resolution reported by them, and adopted by the House, must be construed in connexion with the resolution of reference, and really amounts to no more than a resolution, that upon their certificate of election, or return, it appeared that Messrs. Claiborne and Gholson were duly elected, &c.

The jurisdiction of the committee was limited to this question, and their action cannot be legitimately construed as extending beyond it. Their whole power over the subject was derived from and limited by the resolution of reference. So far as they intended to embrace in their report any other matter than the return, they exceed their authority, and travelled beyond the record.

Will any one contend, for instance, that the committee would have been authorized, under the special reference above set forth, to have investigated the question of qualification? It seems to me perfectly clear that the resolution of reference did not con-

template or authorize an examination or decision of the absolute right of Messrs. Claiborne and Gholson to seats in the twenty-fifth Congress, but only of their credentials or certificate of election, to ascertain whether they had been returned, and could exhibit, by their certificate of election, a *prima facie* showing of right. It was the question of *prima facie* and not *absolute* right which the committee were directed to investigate.

The gentlemen say to the House, "Upon our certificate of election, are we entitled to take our seats as members of the twenty-fifth Congress? We have doubts upon the subject, and our high sense of delicacy has impelled us to ask the opinion of the House." The House, through its committee, examines the certificate of election, and answers the gentlemen by a resolution that they are duly elected, and entitled to seats. Now, the extent of this response must be measured by the extent of the inquiry; and, so measured, amounts to no more than this: "Upon your certificate of election you are entitled to seats; in other words, you have made a *prima facie* showing, sufficient to authorize you to take seats as members of this body."

The whole of this amounted to no more than what had been already tacitly decided by the House in the case of every one of its members; for the very admission of a person to be sworn as a member, is as much a decision and adjudication of his right of membership as a positive resolution of the House affirming the right. Yet it is every day's occurrence for the sitting member to be ousted of his seat when contested, after the House has decided, by admitting him to be sworn, that he was entitled to it. In the present instance the House had, by permitting Messrs. Gholson and Claiborne to participate in its organization, and take part in its proceedings, as fully decided upon their right to seats as by the resolution subsequently adopted. Neither the tacit nor the open decision, however, can be considered in the nature of a judicial act. To constitute this there must be parties and a contest—of which there was neither in the present case. The conclusion to which I am brought by these considerations is, that the resolution adopted by the House upon the report of the committee, when taken and con-

strued, as it must be, in connexion with the resolution of reference, is merely an expression of the opinion of the House that these gentlemen had been duly returned, and *upon their certificate of election*, in other words, *prima facie*, were entitled to seats in the twenty-fifth Congress. If this construction be correct, then the adoption of that resolution interposes no obstacle in the way of the present investigation.

2d. At all events, the action of the House at the last session cannot be considered an adjudication upon the election, qualifications, or return of myself and colleague; for the election had not taken place, and the subject-matter did not exist for adjudication. If the House adjudged upon any thing, it was only upon the matter before it, and not prospectively upon future elections. The resolution adopted by this House does not profess to decide upon the November election; neither does it in anywise refer to it, nor was it competent to do so. Any prospective decision in relation to that election would have been clearly *coram non judice*. It is sufficient, however, to say there is no such decision.

The resolution adopted at the last session may appear incompatible with the claim which I advance; but this is no more than happens every day in courts of justice, to whose acts gentlemen seem so anxious to assimilate this proceeding. A court, to-day, solemnly adjudges a piece of property to belong to A.; to-morrow, a better title is exhibited by B.; and the same court adjudges the same property to B., apparently in direct contradiction of its previous decision; nor would the court permit such previous decision to be interposed as a bar to the claim of B. I take it to be clear that, even according to the strictest technical rules which govern judicial proceedings, a decision by this House that the July election was valid, is not an adjudication that the November election would be invalid. If this position is correct, then the question of the validity of the election of myself and colleague in November is *res integra*, and cannot be in any sort affected by any previous decision of this House upon any other election.

I come now to the third position, which I have laid down in reference to this point. It is, "that so far as said pretended

adjudication goes to alter or annul the law of Mississippi, fixing the time for the election of her representatives to the twenty-fifth Congress, it is void; this House having no power, either legislative or judicial, to alter or annul a constitutional law of a State fixing the time for the general election of representatives to Congress." The question arising out of this position is one of vast importance, involving considerations of the highest magnitude. There cannot arise out of our political system a question of deeper interest than that which involves the extent of the powers of this House over the subject of representation. No case has ever before happened in which a direct collision has occurred between this House and one of the States, in relation to their respective constitutional powers over this matter. Such, however, is the unpleasant attitude which the State of Mississippi and this House now occupy in regard to each other. I approach the investigation of this question with great diffidence. I find myself walking upon untrodden ground: no light of precedent guides my footsteps; and it is with an inexperienced eye that I shall attempt to ascertain, from the great principles of the Constitution itself, the true rule of construction.

The power of this House over the subject of representation is derived from the following clause of the 5th section, 1st article of the Constitution: "Each house shall be the judge of the elections, returns and qualifications of its own members." Now what is the extent of the jurisdiction conferred by this clause? Does it give to the House a full and complete jurisdiction over the whole subject-matter of representation? Or does it confer only a limited and special jurisdiction over particular portions of the subject? I humbly conceive that the latter question alone can be answered in the affirmative.

The designation and specification of particular portions of the subject-matter necessarily precludes the idea of a general jurisdiction over the whole; more especially when other portions are expressly placed under the jurisdiction of other departments of Government.

Now, the subject-matter of representation is parcelled out by

the Constitution among divers departments of the State and Federal Governments, and I conceive the proposition too plain to admit of contradiction, that each of these departments or depositaries is bound to exercise the portion of power assigned to it, without infringing upon or interfering with the constitutional powers of the other agents or depositaries, and that any such infringement or interference would be a palpable violation of the Constitution. The Constitution directs that representation shall be apportioned among the States in proportion to numbers, &c., and directs that an enumeration shall be made at stated periods as the basis of such apportionment. Now, after an apportionment has been constitutionally made by law, will any one contend that this House, under the power of judging of the elections, returns and qualifications of its members, could change or alter such apportionment? For instance, the State of Virginia is entitled, by the present apportionment, to twenty-one members: suppose, upon the presentation of her delegation, the House had decided that she was entitled to ten only, and had adopted a resolution to that effect; would such a resolution have been binding either upon the House or upon the State? Clearly not. It would have been a palpable usurpation on the part of the House, and, if persisted in, would have constituted a virtual dissolution of the government. Here is one portion of the subject-matter of representation, not falling within the scope of the judicial power of the House.

Again, the Constitution provides, in the 2d section of the 1st article, that "the House of Representatives shall be composed of members chosen every second year by the people of the several States." Can this House, by virtue of its judicial power over the elections of its members, make a valid and binding decision, extending their term of service beyond two years? Clearly not; otherwise Congress might declare itself perpetual, and we should soon have a rump parliament. No one will contend, for one instant, that such a power resides in the House. But, why not? Because, the Constitution has itself decided that matter; and thereby placed it beyond the jurisdiction of the House. Here, then, is another portion of the subject-matter of represen-

tation, and a portion, also, of the subject of election, to wit, the term of service, upon which a resolution or adjudication of this House would be entirely powerless and nugatory.

Again, the Constitution, after defining the basis of representation, and prescribing the term of service, as before mentioned, provides that "the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time *by law* make or alter such regulations, except as to the places of choosing Senators." The State Legislatures have then the power of fixing the time of holding elections for Representatives, subject to no constitutional limitation except that contained in the 2nd section of the 1st article, which directs that the time shall be in every second year. Now I take it, that a legislative act, authorized and commanded by the Constitution, has all the sanction and validity of the constitutional provision itself, from whence it is derived; and that the constitutional action of the Legislature of a State, fixing the time of holding elections for Representatives, can no more be annulled or disregarded by this House, whether acting in a judicial or legislative capacity, than the same provision or designation incorporated in the Constitution itself. Now, will any one contend for one instant, that if the Constitution had itself provided that the election of Representatives from the State of Mississippi to the 25th Congress should take place on the first Monday and day following of November, this House could have annulled such constitutional provision in advance, so as to have rendered the election held under its authority void? Would not rather such adjudication of the House have been void, so far as it violated the constitutional regulation? Upon what principle is an adjudication of this House in violation of the constitutional provision in relation to the times of holding elections, more binding than an adjudication extending the term of service, in violation of the clause of the Constitution limiting it to two years? Yet, in the latter case every one will admit that the action of the House would be void; why not in the former? It seems to me clear that no decision of this House alone can affect or change the term

of service, the apportionment of representation, or the times, places, and manner of holding elections, as constitutionally fixed by the State Legislatures, or by law of Congress. It is where these provisions leave off that the jurisdiction of this House commences, with power to judge, First, of the election itself; that is, whether the election has been holden at the time, place, and in the manner prescribed by the State Legislature, or law of Congress, as the case may be; such regulation of the State Legislature, or law of Congress, constituting the rule by which the House is bound to judge. Secondly, of the qualifications. The qualifications of a Representative are designated in the Constitution itself, and the jurisdiction of the House over this subject empowers it to decide whether the persons elected possess the qualifications required by the Constitution, but gives no authority to add to or diminish the constitutional requisitions. Thirdly, of the returns. Here the House has a broad jurisdiction, to judge of the actual result of an election, and of all the various modes by which that result is ascertained.

In regard to the extent of the judicial power of the House, we may read an instructive lesson from the history of the British Parliament. The House of Commons had claimed from time immemorial, as one of its privileges, and a right inherent in its very constitution, the judicial power of deciding upon the election, qualifications, and returns of its members. In the exercise of this acknowledged jurisdiction, it undertook, in the case of the Middlesex election, to decide that the expulsion of a member constituted disqualification, in derogation of the law under which expulsion did not constitute disqualification. In pursuance of this decision, John Wilkes, who had been previously expelled, was adjudged incompetent to sit for the county of Middlesex, though elected by an overwhelming majority; and Mr. Luttrell, who had received a small vote, was declared duly elected. Upon this arose one of the most violent civil contests on record; the People, justly alarmed at the arbitrary decision of the House of Commons, declared it to be a palpable violation of the Constitution, and a dangerous infringement of the popular rights; they denied the power of the House to decide in cases of election,

contrary to law, and denounced the claim of the House to an exclusive judicial power, final and conclusive over the whole subject of election, as fatal to the liberties of the country. The whole nation became aroused, and for fourteen years the indomitable spirit of British freemen waged continual war on this subject, against a determined administration and an obstinate House of Commoes. Popular right at length prevailed over legislative usurpation, and was only satisfied by the utter expunction from the journals of the obnoxious decision of the House.

This very power of altering or setting aside the State regulations is, by the Constitution, reserved to Congress alone, to exercise by law. If the decision of this House is of sufficient force to overturn the legislative action of the State, then this House possesses, judicially, the same power of repealing and annulling the action of the State legislatures, which was manifestly intended to be entrusted only to the joint action of Congress and the Executive, and entrusted, too, with a degree of jealousy and misgiving on the part of the States, as I shall hereafter show, unequalled in the delegation of any other power.

I shall not, at this moment, go into the argument upon the constitutionality of the law of the State of Mississippi, fixing the time for the general election of her representatives to Congress. This belongs to future consideration. At present, I claim the conclusion that, if such law is constitutional, this House had no constitutional power, either legislative or judicial, to annul it; and that the adjudication of this House under discussion, so far as it does infringe upon such constitutional State action, *is void*.

I come now to the fourth position, that said pretended adjudication is not conclusive upon the State of Mississippi, inasmuch as she was not a party to the proceeding upon which it was based, and had no notice thereof, either actual or constructive."

The general principle of law is, that the judgment of a court of competent jurisdiction is binding *upon the parties only*. After the parties to a controversy have been heard, or have had an opportunity of being heard, it is both just and proper that litiga-

tion should cease, and the decision be final. The public good requires it. *Interest reipublicæ ut sit finis litium.* The general rule is based upon abstract justice and public policy, both of which would be violated by its application to the present case. The State of Mississippi was not a party to the proceeding at the special session.

It is contended, I know, that she was substantially a party, and that she was present and heard in the matter, through her agents and attorneys, Messrs. Claiborne and Gholson; but this is a clear begging of the question. Mississippi denies that these gentlemen were her agents for the purpose of claiming seats in the twenty-fifth Congress. They produced no power of attorney from her, authorizing them to act for her in this behalf. The power of attorney which they received from the State authorized them to act as her agents in claiming seats at the special session only. This power of attorney was suppressed, and evidence given which deceived at least a portion of the House into the belief that the People of Mississippi had chosen these gentlemen as their agents for two years. All that Mississippi asks now is the right of showing that Messrs. Claiborne and Gholson never were her agents to the twenty-fifth Congress. If she can show this, surely no one will pretend that she is bound by the acts of pseudo-agents. This question of agency, which gentlemen so cavalierly take for granted, is the very gist of the controversy—the very matter of dispute. But the *petitio principii* is an exceedingly convenient mode of argument in a bad cause; and it is an excellent and ingenious practice to *assume* what you cannot *prove.*

The only parties before the House at the last session were Messrs. Claiborne and Gholson. Now if, in the action taken by them in obtaining the decision of the House, they were not the agents of Mississippi, but had transcended the authority delegated to them, then it follows that Mississippi was not directly or indirectly, in point of fact, or in legal contemplation, a party to the proceeding. That she had notice, either actual or constructive, no one pretends. I take it, then, to be clear that if she can show that Messrs. Claiborne and Gholson exceeded the

authority delegated to them in claiming seats for the whole term of the twenty-fifth Congress, she can neither be considered a party to, nor bound by, such unauthorized action on their part.

I come now to the fifth and last branch of this subject, viz.: "that said pretended adjudication was founded upon palpable mistake, and that this House is bound to review it." All courts, both of law and equity, review their decisions when they appear to have been based upon palpable mistake: courts of law, by new trials and *writs of error coram nobis;* courts of equity, by bills of review. And it would be strange indeed, when wrong is done through mistake, if there existed no power to rectify it. The mistake under which the House labored at the special session arose from its belief that the People of Mississippi voted for Messrs. Claiborne and Gholson as representatives *to the twenty-fifth Congress*, and intended to elect them for the whole term. In proof of this, I refer to the speech of an honorable gentleman from Maryland (Mr. Howard), in which he bases a large portion of his argument and opinion in favor of the sitting members upon this supposed intention of the People; in proof of the existence of which he expressly says, "that they had the positive testimony of the sitting members in the shape of statements made in their places; while, on the other hand, the only evidence adduced to repudiate such statements was the *proclamation* of the Governor, which, it was contended, constituted no evidence of the intention with which the people acted in the election held under its mandate." I have been told, also, by many honorable gentlemen, that they labored under the same apprehension, derived from the same source. Now, was the term for which the People intended to elect, and did really elect, in July, a *material fact;* and, if so, did the House labor under a mistake in relation to this fact; and was the decision, in any sort, based upon such mistake? It seems to me, from the very nature of representation, that the *intention* of the People constitutes the most material subject of inquiry in the investigation. Election is *choice*, and choice cannot exist without intention, which is the very soul and life of the whole matter. An election is, in fact, nothing more, in all its forms, than a mode of

ascertaining the *intention* of the electors. When, therefore, that *intention* is fully and legitimately ascertained, the election cannot be construed as extending beyond the intent and object of the electors; in other words, the act should not be construed beyond the will of the actors. If, then, the People of Mississippi did, in July last, intend to elect representatives for three months only, and did, in point of fact, vote for the purpose of filling that period of time alone, is it not an absurdity and a falsehood to assert that such election was for two years? It does not affect the matter at all to say that they had no right to elect for three months, but had a right to elect for two years. The only result of such a proposition would be, that the election was void, inasmuch as the people had attempted to do what the Constitution did not authorize them to do. It seems to me that no proposition can be clearer than this—that an *unconstitutional election for three months* cannot be considered a *constitutional* election for two years. To those members, then, who believed that the People of Mississippi had a right, in July, to elect representatives to the whole of the twenty-fifth Congress, the question certainly must be a material one, whether they did, in point of fact, do it. The House was made to believe that this was the intention of the people, and many eloquent appeals were made upon this floor, and with great effect, as I am told, against too strict and technical a construction of the Constitution; which, it was asserted, would violate the acknowledged will and intention of the people. I trust, sir, that the same tender regard for the will of the People of Mississippi which pervaded the House at the last session, will continue to influence it at the present.

But was the House mistaken in the view taken of the intent and object of the People of Mississippi at the July election? Of this there cannot exist the slightest doubt upon the mind of any candid man. I have traversed almost the entire State since the July election, and mingled freely with men of all political parties; and I assert, as a matter of fact, without hesitation or fear of contradiction, that the electors who voted in July did not vote or intend to elect for a longer period than what intervened

between that time and the regular election in November. No, sir; if the gentlemen and all their party could be saved, like the wicked cities of Sodom and Gomorrah, by the production of ten righteous men, of any political creed, in the State of Mississippi, who would certify that the election in July was intended, or holden for a longer period, still they would not be able to avert the destruction which is ready to fall, like a consuming fire, upon their heads. But I wish not to rest upon my own assertion only, notwithstanding opportunity has afforded me the means of deriving my information in the matter from the best possible source—the People themselves.

What is the evidence before the House of the extent and object of the July election? First is the proclamation of the Governor, ordering the election for Representatives to fill the vacancy, "until superseded by the members to be elected at the regular November election."

It is admitted on all hands, that the Governor only intended to order an election to the called session of Congress; and that upon the face of the writ, an election is literally ordered only for that portion of the term anterior to the general election. So far, then, as the Executive action is concerned, the intention is conceded to have been in accordance with the terms in which it was expressed. Now, did the People vote in obedience to the whole writ, or did they select a portion of it as a legitimate mandate, and reject the remainder? In other words, did the people consider a portion of the writ surplusage, or did they act under it according to its admitted terms and meaning? In proof that they acted according to the whole command of the writ, and elected only for that portion of the term therein specified, we have the evidence of two principal officers of the State, of opposite political sentiments, acting in obedience to the law of the State, under the responsibility of an oath, and both liable to impeachment, if they have officially asserted a falsehood. The law of the State requires that, after an election for Congress, the Secretary of State shall sum up the votes returned, and declare by publication the result of the election. In this instance he performed his duty, and declared Messrs.

Claiborne and Gholson duly elected to "the called session of Congress." This was an official act of the Secretary of State, who was, be it known, a political friend of the members elect, and therefore cannot be supposed to have been actuated by any inclination unfavorable to their claims. The law of the State further requires that, upon such publication being made, the Governor shall issue proper credentials to the persons elected, &c.

The Governor did issue such credentials, in which he asserted the fact, that Messrs. Claiborne and Gholson had been elected only for that portion of time anterior to the November election. These two official assertions of the highest functionaries of the State, in relation to the extent of the July election, are certainly entitled to some weight, at least until controverted; for, how can the intention of the people be better ascertained, than through the very channels provided by their laws as the medium of its communication?

But this is not all the evidence. Thirty days before the November election, the same sheriffs who had executed the Governor's writ, notified the people, according to law, that an election would be holden on the first Monday and day following in November, for Representatives to Congress; thus positively repudiating the supposition that the election which they had superintended in July was intended to fill the whole term. Here, then, is the evidence of more than fifty State officers, acting under oath, and asserting that the July election was not intended to supersede the November election. Again, at the November election, about 20,000 electors, a larger number than had ever before voted in the State, came forward and asserted at the polls that the July election was not intended to supersede the November election. Thus, we have on one side the united testimony of the Governor, the Secretary of State, fifty-one sheriffs, and 20,000 electors. And what have we on the other side to counterbalance this great mass of evidence? The unassisted and unsupported verbal statements of the sitting members. The House was not only mistaken, but deceived; for the proper credentials issued by the Governor, though in the

possession of one of the gentlemen, were suppressed, and never produced either before the House or the committee. The evidence of their right, as appears from the last report of the committee, consisted of a printed statement of the vote in the several counties, certified to be correct, but without date, or any designation whatever of the time, place, or result of the election to which it professed to relate—a sort of floating claim, which will be as good evidence of right to a seat ten years hence as it was at the special session. Sir, I do not make the grave charge of a suppression of evidence, in the *ex parte* examination which this matter underwent on a former occasion, without ample reason. Indeed, one of the gentlemen not only openly admits the suppression, but with a boldness which seems to indicate a total want of sensibility as to the impropriety of his course, avows that the reason why the proper and legal credentials were not produced arose from the fact that they limited his term of service to the special session.

The following is the bold avowal made by Mr. Claiborne in his *written speech*, which has had the peculiar good fortune to be placed upon the records of this house: "The ordinary certificate of election, or credentials, were forwarded to my colleague, but never received by him. Those sent to me were received: *but perceiving that they contained the limitation of the term of service* mentioned in the Governer's writ to hold the election, *we applied for and obtained the* statement from the Secretary of State, *to be used in their stead*." It thus appears that the regular and official evidence of the gentlemen's right to seats was kept back, and *spurious*, *secondary*, *and partial* evidence, unknown to the law of the land, introduced *in its stead*, upon the express ground that the primary and legitimate evidence did not sustain their claim to seats in the twenty-fifth Congress. It is but justice, however, to Mr. C. to say, that he charges the committee with the whole odium of the concealment; for he says in continuation of the remarks above quoted, "All this was distinctly stated by us to the Committee of Elections in September last." But the Committee of Elections did not see fit to communicate to the House this important fact in relation to the

very certificate upon which they were instructed to report. Knowing, according to the statement of Mr. C., that a certificate of election was in existence, but kept back, solely on account of its insufficiency to sustain the claim set up by the gentlemen possessing it, the committee, in palpable violation of the instructions of the House, neither compel its production, nor take notice of its existence; but make a report favorable to the claimants, based upon partial and secondary evidence, avowedly obtained for the express purpose of avoiding the effect and operation of the certificate of election.

The committee have not denied the assertion of Mr. C., that he informed them of these facts. Possessing this information, I know not how they could reconcile it with their consciences to conceal it from the House. However, it is with the facts and not with the consciences of the committee that my business lies. The facts which I have stated are now uncontroverted. I leave them without comment to the judgment of the House, with this single question. Were not many honorable gentlemen deceived and mistaken as to the intention and extent of the July election. And did they not consider that intention a material fact in arriving at a conclusion favorable to the claim of the sitting members?

In conclusion of this branch of my argument, I have only to say, that I have looked and listened in vain for the reason and authority upon which to sustain the assumption taken by my opponents, that this House cannot review or reverse its previous decision.

Let us examine the position a moment. By what rule is this House imperatively governed and bound in its own proceedings? First, by the Constitution of the United States, and the laws passed in pursuance thereof; and, secondly, by the regulations adopted for its own government, so long as these regulations remain unrescinded. It is bound no further. The rules of proceeding in courts of justice are of no force in this Hall beyond what propriety and a sense of justice may warrant. There is no provision in the Constitution, the laws, or the regulations adopted by this House, which forbids a review and reversal of the de-

cision of the last session. The analogies, drawn from the courts of law, address themselves only to the propriety and not to the right of this House. From the technical arguments, so elaborately deduced from that source, one would rather suppose this was a county court, than the high court of parliament.

It would be strange, indeed, if the American Congress was the only body in which wrong once committed is incapable of reparation, and error hardened into a judicial decision, becomes impervious to truth.

The House has, by referring the subject to a committee, acknowledged jurisdiction over it, and has thereby decided the matter to be still within its control: for it would be a mockery, after having proceeded for weeks, through its committee, in the investigation, now to say that it has the power to examine, but not the power to conclude; the power to hear, but not the power to judge.

I have thus, Mr. Speaker, endeavored to show, not only that this House has the power to review its former decision, but that justice requires it to exercise that power. I have attempted to clear the way to the examination of the great constitutional question involved, and trust my labor has not been entirely without success. Upon the supposition that the House will come to the conclusion that, if wrong has been done, no principle stands in the way of its reparation, I shall proceed to the examination of the propositions laid down in the early part of my argument. And, first, that the election of Messrs. Claiborne and Gholson, in July last, was unconstitutional, null, and void.

The election was holden in July, by virtue of the proclamation of the State Executive. Two questions arise: First. Had the Governor of Mississippi constitutional power to order at that time an election for Representatives to the Twenty-fifth Congress? Second. Did he exercise the power? First. Had he the power? He had it not by virtue of any provision in the Constitution or laws of the State. All his authority over the subject of election of Representatives to Congress is derived from the Constitution of the United States, and is embraced in the following clause, Art. I., sec. 2: "When vacancies happen in the

representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies." Upon the construction of this clause the whole controversy as to the first point hinges. Let us, then, endeavor to ascertain what the framers of the Constitution meant by a "vacancy in the representation from a State."

The best rule of interpretation is to ascertain, if practicable, the intent and object of the law-giver, and then so construe the words as to cover the intent and attain the object. This intent may be best ascertained by a consideration of the necessity which gave rise to the provision. The framers of the Constitution, in prescribing the general modes through which the right of representation should be exercised, very wisely concluded that the regulation of this most important of all political rights should be placed in the hands of the Legislatures of the States respectively, as the safest depositories of so important a trust. Accordingly they provided, by the fourth section of the first article, that "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators."

Here the power of prescribing the time, place, and manner of holding elections for Representatives is not given to the State Executive in any contingency, but to the State Legislature, subject to no paramount authority except a law of Congress. But if the Constitution had stopped here, it would have been defective; for though the State Legislatures, knowing when the regular term would expire, could regulate the time, place, and manner of elections to fill the term, yet they could not foresee and provide for vacancies which might *happen* in the representation after the term is filled. The regular vacancies which must occur in the office biennially and at stated periods could of course be foreseen and provided for by legislative action. The power to provide for the filling of these periodical vacancies, in the *office* of Representative, was clearly placed with the State Legislatures, subject to the control of Congress. But inasmuch as

vacancies might happen in the *representation from a State*, chosen according to law to fill the term—by contingencies of various sorts, such as death, resignation, &c., and inasmuch as the State Legislature, not being always in session, could not conveniently provide for or act upon such unforeseen contingencies, it was thought proper to make it the duty of the State Executive to notify the people, and direct an election to be held when such an event occurred. For though the people know, by the general election law, when they shall convene and elect their Representatives for each Congress, yet, having once elected them, they cannot be supposed to know when a vacancy happens in such representation, neither can any law notify them. It is therefore rendered the duty of the Executive to issue his writ for the purpose of informing them that a vacancy *has happened*. This of itself shows that it was not intended to give the Executive the power to order an election to fill the regular periodical vacancies which constitutionally occur every two years in the office of Representative, but only such vacancies as "happen in the representation from a State," after such a representation has been created under the general election law; for if so, what necessity for a writ to notify the people of that of which, by the Constitution, they are already apprised? The terms of the Constitution, which clothe the Executive with all the power which he possesses on this subject, are peculiar, and have never before formed the subject of direct decision. The phraseology differs remarkably from that used in relation to senatorial vacancies, to be provided for by Executive appointment. The language in the latter case is: "And if vacancies happen by resignation or *otherwise*, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies." Here the term vacancy is generally used, and might, with some show of propriety, perhaps, be applied to the office itself. But not so in relation to the provision under discussion; the term vacancy, in this case, applies not to the office, but to the *representation*. It is not, "when a vacancy happens," nor, "when a vacancy happens in the *office* of representative;" but, "when

vacancies happen *in the representation* from any State, the Executive authority shall," &c. Now, I hold that the office is one thing, and the representation, which exercises or fills the office, another; and that, though there cannot be a vacancy in the representation without a vacancy in the office, yet there may be a vacancy in the office without a vacancy in the representation. The representation from a State consists of the persons chosen to fill the representative offices of that State.

This representation expires or goes out of office on the 3d of March biennially, by constitutional limitation; at least such is the construction which has always been recognized by the Government. Messrs. Claiborne and Gholson constituted the representation from the State of Mississippi in the 24th Congress. Their term of service and the 24th Congress both expired on the 3d of March last In July the Governor issued his writ to fill vacancies in the representation from the State to the 25th Congress; but there had never been any representation from the State to the 25th Congress. How, then, could there have been a vacancy in what had never existed; in other words, how could there be a vacancy in a vacancy? There was, when the Governor issued his writ, and ever had been, not vacancies in the representation from the State, but a total vacancy of representation to the 25th Congress.

Whatever may be the correctness of my views upon this point, no one will deny that the language, spirit, and intent of the Constitution combine to place, as far as practicable, the matter of elections for Representatives and Senators under the control of the State Legislatures, and not under the control of the State Executives. The power of the State Executive was manifestly intended to complete and perfect the system, by embracing that portion of the subject upon which legislative action would be inconvenient or impracticable. Indeed, so vitally important was it considered to the independence of the States that the legislation should be entirely untrammelled in prescribing the time, place, and manner of elections, that it was with great difficulty that the States were persuaded to acquiesce in the controlling power given to Con-

gress to make or alter by law the State regulations. If you will look, sir, into the debates in the different conventions upon the adoption of the Federal Constitution, you will find that no provision was more debated or received with greater jealousy. All the States took the ground that the most important of their political powers consisted in the control, through their Legislatures, over the time, places, and manner of election; and the ultimate supervisory power was reluctantly placed with Congress, upon the express ground that it was necessary for the preservation of the Government; that, without this provision, the States might neglect to make any regulations on the subject, or might fix the times of election at such periods as to prevent a representation, and thereby cause a dissolution of the Government. It was admitted in all the debates that this power of providing for a deficiency or failure of action on the part of the State Legislatures did not and could not with propriety reside anywhere else than in Congress. Still the States were so jealous on this subject that most of them accompanied their ratifications of the Constitution with a solemn protest against the exercise by Congress of this power, except in cases of failure or neglect on the part of the State Legislatures; and also with standing instructions to their delegates, in all future time, to obtain, as early as practicable, an amendment of the Constitution, limiting the action of Congress on this matter to such cases of neglect and failure only. The ratifications of South Carolina, North Carolina, Virginia, Pennsylvania, New York, Rhode Island, and Massachusetts, if not others, contain such protests and instructions.

In all the commentaries upon this provision of the Constitution; in the able essays of the Federalist; in the interpretations of that eminent jurist, Judge Story; in the legislative constructions of all the States, it has been considered as well settled as any other principle of the Government, that the power to provide for any failure, or neglect, or improper regulation on the part of the State Legislatures in relation to the *time*, places, and manner of election, resides nowhere except in a law of Congress. That the power of supplying a deficiency of legis-

lative action on this subject exists, as has been advanced in this discussion, in the governors of the States, is a doctrine not less novel than absurd. The second section of the first article, by which such power is supposed to be conveyed, was deemed so trifling in its character, and so incapable of misconstruction, that it was never once alluded to in the debates in convention of any State, nor in the commentaries of any writer. It remained for the boldness of the present day to assert that this clause contains the great conservative principle, the self-preserving power, which the foolish framers of the Constitution, and the blind generations which came after them, imagined had been embraced in the fourth section, and confined in its exercise to Congress alone.

The whole power and jurisdiction over the subject is, by the Constitution, divided between the State Legislatures, subject to the control of Congress and the State Executive. Now, there is no principle of our Government more important or better settled than that which limits the exercise of a power to the department in which it is constitutionally deposited. It is this principle, more than any other, that constitutes the beauty and safety of our political system. The executive cannot exercise legislative, nor the legislative executive functions. Whatever, then, may be the meaning of the clause, "when vacancies happen in the representation from a State," &c., it is clear that the power and jurisdiction to direct elections to fill such vacancies belong exclusively to the Executive authority of the State. No one, I imagine, will contend that the Legislature could direct elections to fill such vacancies. So, on the other hand, it will hardly be contended that the Executive can exercise the legislative power given in the fourth section of the first article. The powers, whatever they may be, are distinct and independent.

I have attempted, by a fair construction of both sections, to show that the legislative authority embraced the general election, and prescribed the time, place, and manner of the election to fill the term, after which election the Executive jurisdiction attached, with power to supply all vacancies which might happen

in the representation so previously elected. This construction prevents the executive and legislative power from clashing, is consonant with reason and the spirit of the Constitution, and is based upon principles which have been repeatedly recognized. The case of John Hoge, page 135 Contested Elections, involved the question whether, in the absence of any legislation on the subject, the Governor of a State could, when a vacancy had happened in the representation from the State, not only issue his writ, but fix in it the time and place of election. It was decided that he could, and upon the express ground that the fourth section of the first article, giving the Legislature the power to fix the time, place, &c., applied to general elections, and not to cases of vacancies which might happen, and that the power given in the second section to the Executive authority was an exclusive, independent power, carrying with it all the incidental powers necessary for its complete exercise. I understand it to be expressly recognized, both by the decision and the arguments in this case, that the executive and legislative powers over elections are distinct and independent, and not concurrent; that the general election law of a State has no application to such cases as come within the jurisdiction of the Executive, but that the Executive can, in such cases, act without any regulation or law whatever on the subject.

The case of Kensey Johns (Contested Elections, p. 874) is still more in point. The facts were these: Geo. Read, Senator from Delaware, resigned his seat on the 18th September, 1793, during the recess of the Legislature. The Legislature met in January and adjourned in February, 1794, without electing a Senator. On the 19th of March, after said adjournment, Kensey Johns was appointed by the Governor to fill the vacancy.

Upon this state of facts, the committee reported the following resolution, which was adopted by a vote of 20 to 7:

"*Resolved*, That Kensey Johns, appointed by the Governor of the State of Delaware as a Senator of the United States for said State, is not entitled to a seat in the Senate of the United States, a session of the Legislature of the said State having intervened between the resignation of the said George Read, and the appointment of the said Kensey Johns."

Now this case was decided obviously upon the principle that

after the jurisdiction of the Legislature attached, the Executive power ceased; and that the failure of the Legislature to exercise jurisdiction and perform its duty did not re-invest the Executive with any authority on the subject. Yet, after the adjournment of the Legislature, there was, according to the doctrines of my opponents, a vacancy, which had *happened*, by the failure of the Legislature to do its duty. And so far as arguments of necessity, expediency, or convenience were concerned, it was incumbent upon the Governor, as much as in the case now before the House, to have filled the vacancy. From the decision in Kensey Johns's case, as well as from the general principles of law, I lay down the following rule: "That the failure of one department of Government to exercise a constitutional power does not authorize another department to exercise it unless such authority is expressly delegated to the Constitution."

I have already laid down the rule deduced from the case of Hoge: "That the legislative authority to fix the time, place, and manner of election, &c., and the executive authority to issue writs to fill vacancies, are entirely distinct; in other words, that the second and fourth sections of the first article convey separate and independent, and not concurrent powers."

Let us apply these rules to the present case. And, in the first place, let us see whether the legislature of the State of Mississippi has, by any law, fixed the time, place, and manner of election for representatives.

The general election law of that State, enacted 2d March, 1833, prescribes the places and manner of all elections, and expressly directs that the election of representatives to Congress shall take place on the 1st Monday and day following in November of every second year. It will be perceived by this provision that the time for the general election is fixed several months subsequent to the expiration of the previous term. Is this a constitutional law? In other words, have the State legislatures the constitutional power to fix for the general election of representatives to Congress a time subsequent to the expiration of the Congress preceding that for which the election is to be holden? Will any one dare to say they have not the constitutional power?

If they have it not, what will become of the delegations from half the States who at this very moment hold their seats by virtue of elections holden since the 4th of March last, at the times prescribed by the legislatures of their respective States? If they have it not, what Congress, since the formation of the Government, has been constitutionally composed? Sir, if this House denies the power of the legislature of Mississippi in fixing the election of her representatives to the twenty-fifth Congress, at a period subsequent to the expiration of the twenty-fourth Congress, then are one-half its members bound to accompany me out of this Hall. The policy of late elections is a good one, for it increases the accountability of the representative to his constituents, and renders him more amenable to their judgment. Before he can be re-elected, his whole course is subject to be canvassed, and at the bar of public opinion he is compelled to answer for the deeds done in this body. Indeed, so favorably has this policy been viewed, that in 1825, a member from North Carolina introduced into this House the following resolution: "*Resolved*, That a committee be appointed to inquire into the propriety of altering the election laws of the several States, so as to provide that no election shall take place for members of the House of Representatives of the United States until the term of service shall have expired for which they had been elected." This resolution was referred to a select committee; and though the committee afterwards reported that it was inexpedient at that time to make any change in the election laws of the several States, yet this very report (at a time when so many States pursued this mode) shows that such election laws were recognized as constitutional and proper. The case of Herrick, which you will find among your contested elections, and than which no case of the sort was ever more ably or fully discussed, recognizes and sustains the same principle; nor can a case or an authority be found to repudiate or deny it.

The only limitation to this power of the legislature is contained in the first section of the first article of the Constitution, which provides that representatives shall be chosen *every second year*. If the law of Mississippi does not violate that clause, then

is it constitutional, and no power on earth, except the power which made it, or a law of Congress, can abrogate it. Should the legislature of any State refuse to appoint a time for election, or appoint it at an improper period, then it would doubtless be the duty of Congress to interfere, and by its paramount authority regulate the matter. Each State is interested in being duly represented in Congress, and that interest was considered sufficient to warrant a ready action, on the part of their legislatures, in prescribing a proper time, place, and manner of election. But inasmuch as it also interests the whole nation, that every State should be represented, the power was given to Congress of altering the State regulations, or making new ones, should necessity require it. To have placed an additional control over the State regulations in some third department, would have been absurd and unnecessary; for Congress is surely a safe and ample depository of the national rights and interests in the matter. At any rate, it is hardly to be supposed that the constitution would have adopted the State Executives as such third department, to protect and preserve the Federal Government, upon the failure of the State legislatures and of Congress to do their duty.

I take it, then, to be perfectly clear that the State legislatures can constitutionally fix the time for the general election of representatives to Congress at a period subsequent to the expiration of the previous term; and that such a regulation is of binding force until changed or abrogated by a law of Congress. If I am correct in this conclusion, then the law of Mississippi fixing the first Monday and day following of November, of each second year, as the time for the election of her representatives, is a constitutional and valid law; for Congress has neither changed nor abrogated it. Under that law, and in pursuance of all its provisions, I have been elected a representative from the State of Mississippi. If the law is constitutional, then am I the constitutional representative of that State. It is an absurdity in terms to admit the validity of the law, and at the same time oppose its operation, and deny the validity of its legitimate action.

Suppose the Governor had not ordered a special election in July, and I had presented myself with the credentials which I

hold, showing my due election in November, under the general election law of the State, would there have been a moment's hesitation in admitting me? Clearly not; for by precisely the same tenure the members from half the States now occupy their seats.

It is contended by the sitting members, however, that on the 4th of March last, there *happened* a vacancy in the twenty-fifth Congress, within the contemplation of the 2d section, and that the Governor had authority to issue his writ to fill it.

In regard to this position, there is no doubt that on the 4th of March the office of representatives from the State of Mississippi, in the twenty-fifth Congress, was vacant, and of course there was a vacancy in the office, which continued up to the time on which the Governor issued his writ. But I have already attempted to show that it was not a vacancy which had happened in the representation from that State, within the meaning of the 2d section, 1st article. It was one of those regular, stated, and periodical vacancies, for which it was the duty of the legislature, and not of the Executive, to provide, and for which the general election law of the State does, as I contend, make full constitutional provision. All elections, whether general or special, whether by law or by executive authority, are to fill vacancies; for an office must be vacant before it can be filled; and a power to fill all vacancies would be a power to fill all offices. It is true, as the gentlemen say in their argument, that the propriety of filling a vacancy does not depend upon the particular mode of its happening: but upon the particular mode of its happening may well depend the propriety of placing the power of directing the time, place, and manner of filling it in the hands of the Legislature, instead of the Executive. The Constitution intended that all vacancies should be filled; but it gave to the Legislature the authority to direct the filling of the regular periodical vacancies, and to the Executive the direction in filling vacancies which were unforeseen, and the result of accident and contingency. Each of these depositaries may neglect to exercise the delegated power, but such neglect does not transfer the power. Will any one contend that, upon the resignation of a representative, and

the delay of the Governor in issuing his writ, the Legislature could order the election to fill such vacancy?

It is conceded, on all hands, that the proclamation of the President, convening Congress, did not create the vacancy, but that it existed as fully on the 4th of March as when the Governor issued his writ to fill it. Now, for the sake of argument, admit that it came within the meaning of the 2d section of the 1st article, and let us see the result. At what time must the Governor issue his writ, ordering an election to fill a vacancy? The Constitution says, "when vacancies happen in the representation from any State, the executive authority thereof shall issue writs," &c. The happening of the vacancy, then, indicates the time when the executive authority shall act: his duty is clear and positive: he has no discretion whether he shall act or not: his only discretion is that which necessarily attaches to the exercise of the duty, in the fixing of a reasonable time, place, and manner of election. The issuing of his writ, denoting the time, place, and manner, is a duty incumbent upon him, so soon as he is aware "that a vacancy has happened," &c. The vacancy under consideration, if it happened at all, happened on the 4th of March. It was a regular, anticipated, and foreseen vacancy. The Governor knew beforehand when it would happen; and was bound, immediately upon its happening, to obey the imperative command of the Constitution, and issue his writ of election. The Constitution does not say "when Congress is convened," or "when an emergency arises," or "when the executive authority deems it expedient and necessary," he shall issue his writ of election; but "when vacancies happen," &c., he shall do it. The argument of Messrs. Claiborne and Gholson, submitted to the committee at the special session, presents probably the first instance on record of a grave attempt to prove that the executive authority of a State is not bound to perform an act which the Constitution expressly commands, unless he thinks the performance of such act necessary and expedient; and that, if he thinks no inconvenience is likely to result from his failure to obey the command, he need not obey it; in other words, that the performance or non-performance, by the Executive, of con-

stitutional duties, depends entirely upon executive discretion. Surely these are new and elastic principles of constitutional law, and must be exceedingly palatable to executive taste.

I have always understood that when the Constitution directs the performance of an act, by a ministerial officer, the direction itself is a constitutional decision that such act is necessary and expedient, and that the agent to whom the performance is assigned, has no right whatever to interpose his discretion or judgment as to its expediency or necessity.

I take it, then, that the provision making it incumbent upon the executive authority to issue his writ, when vacancies happen, &c., is of itself a constitutional decision, both of the necessity and expediency of the act, whenever the contingency occurs. If I am correct in these positions, and this was a vacancy within the 2d section of the 1st article, it follows, as a matter of course, that the Governor was bound, immediately after the 4th of March (the time when it happened(, to issue his writ of election; and that he had no discretionary power to abstain from the act.

Now, if the executive authority was bound on the 4th of March, to issue his writ of election to fill this vacancy, it seems to me clear that the law of Mississippi, professing to provide for filling the same vacancy in the November following, is an unconstitutional law, and a nullity. The Constitution has made no provision that the Legislature shall act in those cases in which the Executive shall have failed to do his duty. All the power of the Legislature is original and independent of executive action. If, then, the framers of the Constitution intended to embrace in the 2d section of the 1st article the cases of periodical vacancies, arising from the expiration of the previous term of office, they must have considered that full provision was made for the filling such vacancies, in the injunction placed upon the executive authority to issue his writ whenever they happened. I say they must have considered so, for they nowhere made any provision to supply the failure of executive action. It is obvious, under such a construction, that the State Legislatures have no power to pass general laws fixing the time for election of Repre-

sentatives, at periods when, by constitutional provision and in constitutional contemplation, the office has been already filled through the executive authority. In other words, it would be absurd to construe the Constitution as giving to the Legislatures power to do what, in constitutional contemplation, was already done.

But suppose the gentlemen are right in their proposition, that the State Executive may issue the writ or not, at his discretion. I understand them to admit that if the State Executive fails to issue his writ, the election under the general law would be good. It is also admitted, on all sides, and fully decided in the case of Hoge, that the State Executive has the power in his writ of election to designate the time and place. Let us see how these propositions can stand together.

Suppose the Governor of Mississippi had issued his writ, and, according to the authority which the gentlemen ascribe to him, had ordered an election to have been holden at the same time prescribed for the general election, but at different places from those designated by the law: suppose a portion of the people had voted at the places fixed by law, and the remainder at the places appointed by the executive authority; two sets of Representatives are chosen; which are entitled to seats? The elections are simultaneous, but under two distinct authorities, each claiming the constitutional power to order and direct the same. My opponents admit that each possesses the power; but both, of course, cannot exercise it. In the case supposed they come in direct collision. Which is paramount, the law of the State or the executive writ?

Even if the powers are concurrent, it is a clear principle, that where there are concurrent jurisdictions, that which first attaches controls the subject-matter. Now, the law of the State fixing the time for the election of Representatives to the twenty-fifth Congress on the first Monday of November was enacted, and of course its jurisdiction attached, long before the Governor claimed his jurisdiction and issued his writ. It is admitted that, but for the executive action, the election in November would have been valid. This drives gentlemen

inevitably to the position, that the authority of the State Executive is paramount to the law; and that every law, either of the State or of Congress, fixing the time of election for Representatives after the expiration of the previous term, can at any time after such expiration of the previous term, be abrogated and utterly annulled at the discretion of the State Executive. Suppose Congress, under its constitutional power to make or alter the election laws, had passed the very law that Mississippi has enacted: still, according to gentlemen's argument, such a law would have been entirely at the mercy of the State Executive. This is nullification with a vengeance. South Carolina claimed the power to nullify an unconstitutional law of Congress: my opponents contend for the right in the State Executive to nullify an admitted constitutional law either of the States or of Congress; for the principle is precisely the same, whether applied to a law of the State or a law of Congress. The law of the State of Mississippi is either constitutional or it is not. If it is constitutional, then the appointment of the first Monday in November for the time of election, is a constitutional decision by the constitutional authority that the first Monday of November is a proper time for such election. The Legislature has exercised, in fixing that time, the general discretion which, by the Constitution, it undoubtedly possessed over the subject; it may have exercised it improperly. The period fixed may be too late for public convenience and the general interest. But so long as the law continues to be constitutional, the time designated in it is constitutionally right and proper. But it may be asked, is there no remedy? Can the States, by improper regulations on this subject, stop or impede the operations of the Government?

This question has been already answered, in the previous part of the argument.

The sage founders of our political system contemplated the possibility, that the States might refuse to make any election laws, or might make improper ones, and, in consequence, expressly delegated to Congress the power "to make or alter such regulations." The discretion of Congress, in deciding what

is a proper time, is thus made paramount to that of the State Legislatures. But, in the present instance, Congress has not thought it necessary to alter the State regulation. This, of itself, is an admission, on the part of Congress, that the State Legislature has not improperly exercised its discretion. It has, then, been decided, by the Legislature of the State of Mississippi, having, by the Constitution, full and express jurisdiction over the matter, that the first Monday of November last was a proper time for the people of that State to elect their Representatives to the twenty-fifth Congress.

This decision has been recognized by Congress as correct, by its failure to interpose its supervisory power to alter the regulation. And yet the monstrous doctrine is advanced by my opponents, that there resided in the executive breast a special discretion, paramount to the general discretion of the State legislature and Congress combined, and fully competent to decide that November was not a proper time for the people to elect representatives; but that July was; and, accordingly, to alter the time from November to July. Will gentlemen point out to me the clause of the Constitution conferring upon the State Executive so strange and anomalous a power.

I have offered these views to show the absurdity of admitting the right of the State legislatures to fix the time for the general election subsequent to the expiration of the previous terms of office, and at the same time to contend for the position, that such periodical vacancies in the office fall within the provision of the second section of the first article, and are subject to be filled by virtue of the executive authority. The error into which gentlemen fall, in the interpretation of this second section, arises from a disregard of one of the most obvious rules of construction; which is, that where there are several provisions in regard to the same subject, they must be construed together. The same provision, and the same words, when taken independently, will frequently authorize a construction totally at war with that which will be at once acknowledged as the legitimate meaning, when the provision is construed in connection with others on the same subject.

Did the second section of the first article of the Constitution stand alone, it might undoubtedly bear a construction broader than that which I apply to it—perhaps even as extensive as that for which my opponents contend; and it seems to me that the committee, on a former occasion, in considering this clause, did construe it as entirely independent, and with a total disregard to the other constitutional provisions *in pari materiâ*. Now, it is perfectly obvious that this clause cannot be fairly interpreted except in connection with the fourth section, which relates to the same subject. The second section gives the State Executives certain powers over the subject of elections. The fourth section gives to the State legislatures certain powers over the same subject.

Now, before defining the extent of the powers delegated in either of these clauses, let us settle a preliminary question. Do these two clauses convey concurrent or independent powers? I have already, in a previous part of my argument, asserted my views upon this point. But I cannot refrain from again calling to it the attention of the House. I assert the powers to be independent; that one is the complement of the other; that where the authority of the State legislatures ceases, there the executive authority commences; thus embracing the whole subject, and constituting a harmonious circle of power. I have shown, from the precedents in this House, that this principle has been long recognized and adopted as a rule of action. In the case of Hoge, it was expressly decided that cases coming within the operation of the second section of the first article, do not come within the operation of the fourth section. I have further asserted the principle, that, in the distribution of the powers which, in their aggregate, form the Federal Government, the Constitution does not contemplate or authorize, in any instance, the exercise, by two different departments at the same time, of the same power over the same subject-matter. The adverse construction would involve an absurdity. A constitution authorizing such a duplicate action, would be so defective that government could not be carried on under it. Like a piece of badly constructed machinery, in which the wheels interfere with each

other, it would soon fall in pieces by the collision of its own parts.

In construing the two sections of the Constitution which regulate the elections to this House, we should endeavor to prevent their clashing, and not interpret one at the expense of the other. We must give such a construction as will let both clauses live: "*ut res magis valeat quam pereat.*"

The construction which I have attempted to establish is of this character. I contend that the legislative authority alone can prescribe the time of election for filling the regular periodical vacancies which constitutionally arise, from the expiration of each Congress; and that the executive jurisdiction only extends to such vacancies as happen, by accident and contingency in the representation, after the legislative action has been exhausted. By my construction, the two clauses can both stand without conflict. By the construction of my opponents, they clash harshly together, and one is compelled to give way to the other. The law of the State is forced to bend to the discretion of the State Executive. Like the misletoe bough, which flourishes at the expense of the tree to which it is attached, till the exhausted parent dies, in the greedy embrace of its ungrateful offspring, so does their construction of the executive power eat out and destroy the legislative authority upon which it was originally engrafted.

Gentlemen are forced to admit that the State legislature can fix the time for election at a period subsequent to the expiration of the previous term; while, at the same time, it is contended that, in all such cases, the State Executive may designate for the election such time as he pleases. Now, to be consistent, they should deny the existence of this power in the legislature; for it involves an absolute absurdity to claim for the Executive of Mississippi the right to fix the time for the election in July; and, at the same time, to admit the existence of a legislative power to direct the holding of the same election in November. The legislature of Mississippi did, by law, direct that the representatives to the twenty-fifth Congress should be elected on the first Monday, and day following, in November. The executive author-

ity of the same State, did direct an election (which gentlemen contend was also for the twenty-fifth Congress) to be holden in July preceding. Now, it seems to me self-evident that either the legislative or executive action was without constitutional sanction; for the act of one is clearly invalid. The accidental call of an extraordinary session of Congress, and the embarrassing condition of the country, are not, either separately or combined, sufficient to suspend the operation or validity of a constitutional law. I take it that such considerations have no legitimate bearing whatever upon the question in controversy. Let, then, gentlemen boldly and directly take the ground which they have indirectly taken; let them grapple the question honestly and fairly; let them assert, at once, the position that the State legislatures cannot constitutionally fix the election of their representatives to Congress at times subsequent to the expiration of the term preceding that for which the election is to be holden; for this position is the necessary consequence of their assumption, that this very power resides with the State Executive.

If the view of the Constitution which I have taken be correct, then the Governor of Mississippi had no power to order an election in July last, and the election held under his mandate was unconstitutional and void.

If, however, I am mistaken in my construction, and the Governor had the power to supersede the law, and order an election for the twenty-fifth Congress, the question then arises, did he exercise it? The proclamation or writ of the Governor, after reciting that a vacancy had happened, by the expiration of the previous term of service, commands the different sheriffs to hold an election for representatives to fill such vacancy, "*until superseded by the members to be elected at the next regular election, on the first Monday, and day following, in November next.*"

The proclamation or writ, it will be perceived, does not, in point of fact, order an election for the whole of the twenty-fifth Congress, but only for that portion of it anterior to the general election in November, and upon its face certainly does not

authorize an election for a longer period. But, under the creative power of the majority of the Committee of Elections, it has grown up into an ample authority for holding an election to fill the whole term.

The ratiocination by which they arrived at this remarkable conclusion is a curious specimen of argumentative absurdity.

The Governor, say these syllogistic gentlemen, had no right to order an election for a period less than the unexpired term. He did, however, we admit, order an election for only a small portion of the unexpired term; but we will reject, as *surplusage*, all that portion of the writ which relates to the time for which the election was to be holden, and then it will appear as if the Governor issued a writ for the whole vacancy, though we know, in point of fact, that he did not. The writ orders an election for three months only, but, by rejecting a portion as surplusage, we shall have two years left. Like the leaves of the Sibyl, the writ will grow in value as it diminishes in quantity: the more we take from it, the larger it will become; and by lessening it one-half we increase it fourfold. Truly, had these gentlemen lived in ancient times, they would have puzzled the Sphinx with their riddles, and the scholars with their logic. They have performed a miracle greater than that which illustrates the history of the widow's cruse. The widow continually used of the oil, and yet the cruse always remained full; these gentlemen, by using from the Governor's writ, not only do not diminish it, but enlarge its abundance.

But what is this doctrine of surplusage? Surplusage, in legal definition, as well as in common parlance, means a superfluity—more than enough. Now, the writ in this case does not contain any superfluity of substance or meaning; the defect complained of is, that it does not contain enough. The substance of the mandate is an election for three months, when, as gentlemen contend, it should have been for two years. There is clearly, then, nothing of surplusage in the substance of the writ. If there are more words than are necessary to convey the substance of the mandate, it would constitute a verbal surplusage, and such unnecessary words might be rejected. This,

however, is not the case. The words rejected by the committee as surplusage, form a component and essential part of the mandate. It is manifest that there is no superfluous substance to reject; for the complaint arises from a deficiency, and I know of no rule by which, in the construction of an instrument, you can reject words, as surplusage, which form an essential part of the meaning; when, by such rejection, you change entirely the substance and character of the document. Gentlemen say that the Governor had no right to limit the term of service. The conclusion, then, is, that he has issued an unconstitutional mandate. If so, it is void. What right have you to construe an unconstitutional act into a constitutional one, in violation of the admitted intent and express meaning of the actor?

You say the Governor had the authority to issue a writ of election for the whole unexpired term. Very well. The answer is, and it seems to me a satisfactory one, he has not done it. Suppose he had issued no writ at all: could you have rejected his neglect as surplusage, and sustained an election held without any executive mandate? It seems to me you could do it with as much propriety as you can sustain an election for two years under a writ ordering one for three months. If by construction eighteen months can be forced into a writ, against its admitted meaning, I see no reason why the whole writ may not be created by construction. It is perfectly obvious that, whether the Governor had or had not the power of ordering an election for the whole unexpired term of the twenty-fifth Congress, he has never exercised or attempted to exercise such power, and it would be a monstrous doctrine to assert that, constructively, he did what you admit, in point of fact, he did not do.

From these considerations, as well as from the position which I have endeavored to demonstrate, that the Governor had no constitutional authority to order an election in July, I come to the conclusion embraced in my first general proposition, to wit: "that the election in July last, under which the sitting members claim their seats, was unconstitutional, null, and void."

This brings me to the second proposition, that the election in July, if good for anything, was good only for the period

anterior to the general election. I shall say but little upon this point, inasmuch as most of the principles applicable to it have been already discussed in the previous argument. I am decidedly of opinion that there was no vacancy whatever, within the meaning of the second section of the first article. But, if there was, what was its extent? It seems to have been taken for granted that it must necessarily be the whole of the unexpired term. Upon what principle, however, has this conclusion been adopted?

The Constitution does not define a vacancy; and the very reasoning by which gentlemen arrive at the conclusion, that there was in July a vacancy within the executive jurisdiction, would limit its extent to the regular November election.

The reasoning which sustains the power of the Governor, is based upon the doctrine of necessity, and upon the supposed constitutional intention of authorizing provision by the executive writ, for any failure of legislative action. This is the ground taken by my opponents. Admitting its truth, then, the fair measure of the executive power will be the deficiency of legislative action. Now, the deficiency of legislative action extends only from the 4th of March to the first Monday in November. After that, ample constitutional legislation embraces the subject, and fully relieves it from any further necessity for executive assistance. By extending the power of the Governor beyond the time for the general election, you carry it further than your own construction of the Constitution warrants, and make it trench upon and overrun the admitted constitutional action of the State legislature. From the arguments and upon the views of my opponents themselves, I should feel compelled to define the meaning of the word *vacancy*, as used in the second section of the first article, to be "that portion of the office the filling of which is unprovided for by constitutional legislation." Neither necessity, convenience, nor legitimate construction, can extend the definition. If it be correct, then there was a vacancy unprovided for by law, extending from the 4th of March to the time of the general election in November, and the Governor's writ was in exact accordance with his constitutional power. The only provision in the

Constitution, in relation to the term of service, is that contained in the second section, first article. "The House of Representatives shall consist of members chosen every second year," &c. Now, this provision manifestly applies only to the general elections, and is simply a limitation of the power given to the State legislatures to fix the times, &c. Under this clause, the State legislatures are bound to provide for a general election every second year. The clause cannot have any application whatever to elections for filling vacancies. Members may be chosen to fill vacancies not only every second year, but every second month, should they happen so often. The assumption of my opponents, that a vacancy must necessarily extend to the whole unexpired Congress, is unsupported by any constitutional provision, and totally at war with the very principles upon which they base the Governor's vacancy-filling power. I come, from these considerations, to the conclusion, that, if there was a vacancy within the jurisdiction of the Governor, it extended to November only, when the regular legislative jurisdiction attached; and, consequently, that the election in July last, if good at all, was only valid for the period anterior to the general November election. This brings me to the third and last proposition with which I set out, viz: that, in November last, my colleague and myself were constitutionally and legally elected representatives from the State of Mississippi to the twenty-fifth Congress. If I have succeeded in demonstrating either of the first two propositions, this one will follow as a matter of course. The Constitution of the United States authorized the legislature of Mississippi to fix the time, places, and manner of elections for Congress. I have already endeavored to show that the Legislature did, in the constitutional exercise of that authority, prescribe the time, places, and manner; and that, under and in pursuance of all those regulations, my colleague and myself were elected, on the first Monday, and day following, of November last. Of all this the House has ample evidence, through the official organs of the State. There is no controversy as to the result of the election.

The House judges of the election, qualifications, and returns. Was there any defect in the election? If so, point it out. Was

it not conducted in full accordance with the Constitution of the United States, and the constitution and laws of the State of Mississippi? If not, show the variance. Well, then, the election was a valid one.

On the score of qualification, is there any objection? None; no one doubts or denies the qualifications of my colleague and myself. Of the returns, are they not legal and satisfactory? Not a whisper has been breathed to the contrary. Upon which branch of its jurisdiction will the House base an objection; upon election, qualification, or return? If no valid objection arises out of either of these three points, then we are entitled to seats; for beyond those three points the jurisdiction of the House does not extend.

If the July election was void, or extended only to the November election, then the latter election must inevitably be sustained, unless there is something averred and proven to vitiate it. It stands, otherwise, upon the same footing with the general elections of the other States which have occurred since the 4th of March. There can be no sort of doubt that one of the said elections in Mississippi was constitutional and valid; and I presume no one will advance the absurdity, that an unconstitutional and void election can vitiate a constitutional and valid election.

I have now done with the argument of this matter. It is for the grave judges around me to say whether I have established any of my propositions. I have detained the House, in this opening of the cause, longer, perhaps, than its patience would warrant. But ample excuse, I trust, may be found in the magnitude of the principles involved, and the inexperience of the humble individual to whom their illustration has been committed. I have performed my duty; it now devolves upon you to perform yours. In the performance of that duty, let me tell you, sir, no ordinary responsibility rests upon you. The eyes of the nation are directed to your action, with an anxiety commensurate with the importance of the subject to be affected by your decision. That subject is no less than the right of representation, the elective franchise, the Promethean spark which imparts life and soul to our whole political system; without which, all

our institutions are but inanimate things; dull, cold, and senseless statues. In your situation, even good intention will not justify error. At your hands the American people will require a strict account of that Constitution of which you are appointed guardians, and over whose most vital part a fatal stab is now impending. You cannot respond, as did the first fratricide, "*Who made me the keeper of my brother Abel?*" To you is entrusted the keeping of the Constitution; see that you rob it not of its richest treasure.

I advance here no personal claim; it is the claim of one of the sovereign States of this Confederacy which I advocate; her claim to the right of choosing her own Representatives according to her own constitutional laws. Will you deny her this right? Will you rend the brightest and the strongest link in the golden chain of Union?

Sir, if you persist in denying to Mississippi that right to which she is entitled in common with every other State, you inflict upon her a wound which no medicine can heal. If you are determined to impose upon her a representation not of her choice, and against her will, go on, and complete the work of degradation; send her a proconsul for a Governor, and make taskmasters to rule over her.

Let her no longer sit with you, a young and fair member of this proud sisterhood; but strip off the robes of equality, and make of her a handmaid and a servant.

Better, far better, had she never emerged from the chrysalis condition of a Territory, to wear the gaudy honors and butterfly wings of a State, if you can thus, with your mere touch, brush her brightest tints away.

Sir, you may think it an easy and a trifling matter to deprive Mississippi of her elective franchise; for she is young, and may not, perchance, have the power to resist; but I am much mistaken in the character of her chivalrous citizens, if you do not find that she not only understands her rights, but has both the will and the power to vindicate them. You may yet find, to your sorrow, that you have grasped a scorpion, where you thought you were only crushing a worm. This House would as

soon put its head in a lion's mouth, as take the course which is threatened, towards the elder and more powerful States. And how happens it, that Representatives of the States which have always been the readiest in the assertion of their own rights, should now be most zealous in trampling upon the rights of Mississippi? What has she done, that she should be selected as a victim? No State is or has ever been more ardently attached to the Union; and if she is placed beyond its pale, it will be your fault, and not her own. Sir, if you consummate this usurpation, you degrade the State of Mississippi: and if she submits, never again can she wear the lofty look of conscious independence. Burning shame will set its seal upon her brow; and when her proud sons travel in other lands, they will blush at the history of her dishonor, as it falls from the sneering lip of the stranger. Sir, place her not in that terrible and trying position, in which her love for this glorious Union will be found at war with her own honor, and the paramount obligation which binds her to transmit to the next generation, untarnished and undiminished, her portion of that rich legacy of the Revolution, which was bought with blood, and which should never be parted with for a price less than what it cost. Is there a State in this Union that would part with it; that would submit to have her Representatives chosen by this House, and forced upon her against her will? Come! what says the Bay State—time-honored *Massachusetts?* From the cradle in which young Liberty was first rocked, even from old Faneuil Hall, comes forth her ready answer, and, before it dies away, again it is repeated from Bunker Hill: "It was for this very right of representation our fathers fought the battles of the Revolution, and ere we will surrender this dear-bought right, those battles shall again become dread realities." Would *Kentucky* submit? Ask her, Mr. Speaker, and her *Mammoth cavern* will find a voice to thunder in your ear her stern response: "No; sooner than submit to such an outrage, our soil shall be re-baptized with a new claim to the proud but melancholy title of *the dark and bloody ground.*" And what says Virginia, with her high device—her "*sic semper tyrannis,*" the loftiest

motto that ever blazed upon a warrior's shield or a nation's arms? How would she brook such usurpation? What says the mother of States and State Right doctrines: she who has placed *instruction* as a guardian over *representation;* what says she to the proposition that this House can make Representatives, and force them upon a State in violation of its choice and will? And where is South Carolina, the Harry Percy of the Union? On which side in this great controversy does she couch her lance and draw her blade? I trust, upon the side of her sister State; upon the side, too, of the constitutional rights of all the States; and let her lend the full strength of her good right arm to the blow, when she strikes in so righteous a quarrel.

Upon all the States I do most solemnly call, for that justice to another, which they would expect for themselves. Let this cup pass from Mississippi. Compel her not to drink its bitter ingredients, lest, some day, even-handed justice should "commend the poisoned chalice" to your own lips. Rescind that resolution, which presses like a foul incubus upon the Constitution. You sit here, twenty-five sovereign States, in judgment upon the most sacred right of a sister State; that which is to a State what chastity is to a woman, or honor to a man. Should you decide against her, you tear from her brow the richest jewel which sparkles there, and forever bow her head in shame and dishonor. But, if your determination is taken; if the blow must fall; if the violated Constitution must bleed; I have but one request, on her behalf, to make. When you decide that she cannot choose her own representation, at that self-same moment blot from the spangled banner of this *Union* the bright *star* that glitters to the name of *Mississippi*, but leave the *stripe* behind, a fit emblem of her degradation.

The reader can hardly fail to have observed, in reading this argument, how well Mr. Prentiss was prepared for it by his speeches in the Legislature of Mississippi, the previous winter, upon the question of admitting the New County Delegation. Some of the main points, involved in the two cases, were identical.

CHAPTER XII.

Address to the People of Mississippi—Return to Vicksburg—Second Canvass of the State—Reminiscences of it—Speech at Natchez—Anecdotes illustrating the Effect of his Eloquence—His own Account of Scenes with a Menagerie—Result of the Election—Address to a Jury—Letters—Return to Washington—Claims his Seat under the November Certificate of Election—Characteristic Incident mentioned by Mr. Word—Speech on the Sub-Treasury Bill—Letters—Speech on Small Note Bill—North and South.

ÆT. 29.—1838.

BEFORE leaving Washington, Mr. Prentiss issued a spirited Address to the People of Mississippi, of which the following passages contain the substance :—

FELLOW-CITIZENS—In November last, you elected me one of your Representative to the 25th Congress, by much the largest vote ever polled. for that office in the State. The election was holden, as you well know, at the time. places, and in the manner prescribed by your laws, which laws were enacted by your Legislature, under the express authority of the Constitution of the United States. Immediately upon ascertaining the result of that election, I received from the Governor credentials, in pursuance of law, and repaired, with all convenient speed, to the Federal city. I presented my credentials to the Speaker of the House of Representatives, and demanded to be sworn in as a member. The Speaker refused; and I was told that the seats belonging to the State of Mississippi were already filled. On examination, I found them occupied by Messrs. Claiborne and Gholson. You probably recollect that, in July last, you selected those gentlemen to

serve you until superseded by such persons as you might select, at the general election in November. On presenting my power of attorney from you, dispensing with their further service, and substituting myself and colleague in their places, they utterly refused to obey, and set your mandate at open defiance. Indeed they had previously asserted, upon the floor of the House, that you had elected them for the whole of the 25th Congress; that they had been candidates for the whole term, and that you so understand it. They demanded and obtained, at the special session, by a resolution introduced by themselves, a decision that they were duly elected to the whole 25th Congress; and relying upon this decision, they objected, both before the Committee and the House, to any examination into the question whether you did, in reality, intend to elect them for a longer period than the special session; thus basing their claims to seats, not upon your will, but upon a decision of the House of Representatives, procured at their own instigation, upon an *ex parte* examination of the case, and without the production of any legal credentials or certificate of election whatever. Finding the attitude in which the matter stood, I proceeded at once to attack the decision of the House, as unconstitutional, *ex parte*, and founded upon palpable mistake. I took the ground that whatever might be the validity of the July election, it was not intended to supersede, nor could it constitutionally supersede, the regular election in November, and that the constitutional rights of the people of Mississippi were beyond the control of the House of Representatives. I denied the power of one branch of the Federal Legislature to nullify the admitted constitutional law of the State of Mississippi, fixing the time for the election of her Representatives to Congress. I openly denied, on your behalf, any intention of surrendering your constitutional right of choosing your Representatives at the time, places, and in the manner prescribed by your laws. After a most severe and memorable contest, in which every art and effort was exhausted, for the purpose of sustaining Messrs. Claiborne and Gholson in their usurped places, the House solemnly decided that they were not entitled to seats, as the Representatives of the State of Mississippi, on the express ground that the July election was unconstitutional and void.

So far the House of Representatives honorably rectified an acknowledged error into which they had fallen; and sustained you against the attack which had been made by Messrs. Claiborne and Gholson upon your most sacred constitutional rights, and these gentlemen were justly turned out of the seats to which they had clung with such desperate tenacity. I would, for the honor of the American nation, I could stop here. No sooner, however, had the House decided that the July election was void, because November was the only time at which an election could be valid, than they turned around and again decided that the November election was void, because of the error into which the House had fallen.

The highest political right which appertains to you was suspended, and the State of Mississippi totally disfranchised, not by any fault of her own, but through the acknowledged ignorance of the House. While the House was in error, you could not exercise your rights; and a simple resolution of the Federal House of Representatives, by this decision, is sufficient, at any time, not only to modify, but destroy, the right of representation of any or every State in the Union. No one denied that, in pursuance of the law and the constitution, you had elected me as your representative. It was your right to elect anybody that was denied. It was decided that your election in July was void, on account of the November election, and that the November election was void, on account of the erroneous decision of the House in favor of the July election. Thus, at a period when, of all others, your interests most require attention, and questions of vital importance are agitating the country, you are juggled out of your whole right of representation in the popular branch of the National Legislature, and the reason assigned is, that the blunders of the House of Representatives are constitutional laws, and paramount to the admitted constitutional laws of the States, and of force sufficient to annul the same. Doctrines so federal were never before advanced in this government; and if they be correct, then is the House of Representatives a despot, and the rights of the States exist only in imagination. If such doctrines are correct, what prevents Congress from declaring itself per-

petual—a rump parliament—and then asserting, as they have in the present instance, that so long as that decision remains unrescinded, the constitutional power of the States to hold their regular elections is suspended, and their laws nullified?

Upon the question of the validity of the November election, the vote stood at a tie, and the Speaker had the glorious infamy of deciding it against you. A single representative from another State exercised the power of denying your right to any representation, and the still, small voice of James K. Polk deprived you of that which a hundred thousand bayonets could not have forced from you.

I wish you distinctly to understand that your *right of election*, either in July or November, has been solemnly denied and repudiated. I told the House that you would not submit quietly to have your elective franchise trodden beneath the iron heel of federal despotism, and that there was no possession you would not sooner part with than your right of representation, that great legacy of the Revolution. Was I right or wrong in thus speaking for you? Whether right or wrong, I spoke my own sentiments when I denounced, as I did, the action of the House as a plain and palpable violation of the Constitution—a foul, high-handed and tyrannical usurpation. I looked with scorn and derision upon the juggling and hypocritical pretence of sending the election back for the purpose of ascertaining your wishes, when you had spoken, through all your legal and constitutional forms, in a voice which an idiot could not fail to have understood. The House has decided that both your election in July and November are void; and yet they permit the representative from Arkansas to hold his seat under two elections precisely parallel.

I tell you candidly and honestly my own opinion of the whole transaction, and I have been a close and attentive observer. I believe you have been basely defrauded of your elective franchise, simply because you did not choose, in exercising it, to consult the political taste and complexion of the majority in the House. It is for you to say whether you will bow in submission to the rod, and sacrifice your great and sacred rights at the shrine of party

dictation, or whether you will assert your right, free and untrammelled, to elect whom you please as your representatives.

The true contest now is, whether you or the House of Representatives shall designate the individuals who shall serve you in that body. To the honorable and highminded of all political parties, I appeal for a dignified and determined assertion of the right of election. Believing as I do, before Heaven, that I am your constitutional representative, in spite of the tyrannical and arbitrary action of the House; and believing, too, that the honor and character of the citizens of Mississippi are deeply involved in the action which they may take in relation to this matter, I have deemed it my duty to address to you some account of the result of the high errand upon which you sent me. I regret that my task has been but half accomplished. The usurpers have been driven from the Capitol; but your representatives have been denied admittance. To the best of my humble ability, I have obeyed your high behest. It now devolves upon you to assert, in such manner as honor and duty may dictate, your violated rights.

On his return home, the citizens of Maysville and Louisville tendered him a public dinner; but in both instances he modestly declined the compliment. "Defeated as I have been, in the high errand upon which I was sent, I feel that it would hardly be proper for me to tarry by the way and partake of those honors and rewards, which belong rather to the victor than the vanquished."

The citizens of Vicksburg had long been upon the look-out for him, and, on the night of his arrival, welcomed him with repeated rounds of cannon. A friend, writing under date of March 16, 1838, says: "Your brother was received with shouts and congratulations, and demonstrations of joy which burst all bounds. His reception must have been to him a source of most gratifying pride. A public dinner has been given to him since his return, and I

listened to his speech with a higher and more exalted admiration for his talents than ever. He is a great man, and I am proud of being his friend."

His first intention, upon being rejected, was to resign his seat, to which he conceived himself to be still entitled, and abandon the contest. But a sense of public duty and the entreaties of his friends overruled this purpose. He even consented to the toil of another canvass, though very much against his will, as appears from the following letters :—

TO HIS YOUNGEST BROTHER.

VICKSBURG, *March* 16, 1838.

DEAR GEORGE:—

I got home three days since, after a most tedious and annoying trip. I had to come all the way to Louisville by stage, the river being entirely closed with ice. My health, however, was good; and I met with no accident, saving an overturn, which proved entirely harmless. I was right glad to get here, for my business has suffered sadly by my absence and inattention, since I was silly enough to engage in politics. Indeed, but for my sense of duty, I should immediately withdraw. I feel bound, however, to permit the people to assert their rights through me, if they choose to do so. An election is ordered on the fourth Monday in April; and I have very reluctantly allowed my name to be used, with the distinct avowal, however, that I do not recognize the election as constitutional, but merely as an expression of the opinion of the citizens—and that if I have a majority, I shall claim my seat again, under the November election. I have also determined, though I have not avowed it, to resign so soon as I get my seat, even if re-elected, and to quit politics for ever and aye. But I deem it extremely doubtful whether I shall be sustained by a majority of the people; for I do not intend to canvass the State, while my opponents will do so and make the most desperate exertions. I am indifferent as to the result. My

friends here are all well, and much gratified at my *début* in Congress.

March 17.

I have nothing new to tell you. Considerable excitement prevails in the river counties upon the decision of the election case; but, generally speaking, the people will vote upon party-grounds alone, and I am strongly inclined to believe that the State is administration. Did I feel disposed to canvass, I doubt not I could again get a majority; but as I don't intend to do so, I shall not be surprised if the Vanites succeed. For my part, I am heartily sick of being alternately praised, abused and belied. I am as thoroughly cured of ambition as were the Spartan youths of drunkenness, by viewing the effect in others. I am annoyed to death by my friends, who urge me to go out among the people, and who seem to use all the exertions I have made only as arguments for more. As soon as I get a little leisure, I will write you fully of my views and feelings upon this matter. At present, business of all sorts, which has accumulated during the winter, distracts my attention, and hardly affords me time to write this letter. So good-bye, and don't turn politician.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ANNA.

VICKSBURG, *March* 25, 1838.

MY DEAR, SWEET SISTER:—

I sat down a week ago, with my pen all *nibbed* (I don't know whether there is such a word) to write you a letter, when the puffing of a steamboat compelled me to forego the pleasant occupation, and travel forthwith to Natchez, in obedience to the calls of business. I have just returned from that place, and shall proceed at once to make both the apology and the reparation for the wrong I have done you. I had been at home only two or three days, and was waiting to furnish you with the best *political information* as to the state of things here (presuming that you have become a violent poli-

tician), when I was so suddenly called away. I did not leave Washington City so soon by a week or ten days as I expected to do, and I had a tedious and most uncomfortable trip home; all the way to Louisville by stage, on account of the ice, which obstructed the Ohio. My health, however, was and still is admirable. Indeed, I believe I have a constitution of steel; nothing seems to affect it. I had determined, on my return, to have nothing to do with the election, and to resign the right to which, I conceive, I am still entitled, as the Representative of the State, notwithstanding the outrageous act of the House of Representatives. I found that the Governor had ordered a new election, and the people were determined to express, at that election, their opinions in relation to the action of Congress. Contrary to my wishes, I have been compelled by the solicitations of my personal and political friends, to permit my name to be run, not for a re-election, but for the purpose of ascertaining whether the people will sustain the previous election. I have distinctly stated to them, that I consider myself still their Representative, and that if a majority of them sustain me at the April election, I will again go on and claim my seat under the old November certificate; but if I do not receive a majority of the votes, I will resign, because I scorn to vindicate the rights of those who have not independence enough to wish it done for them. Indeed, so disgusted have I become with politics and everything connected with them, that I shall feel rather pleased than otherwise at my defeat. So far as I have seen, however, everything indicates a favorable result. I was received here with the most unbounded enthusiasm; and also at Natchez, where I addressed one of the largest audiences ever convened in the State, among whom were some fifty ladies of the aristocracy, who did your humble servant the honor to sit two hours in the open, public square, listening to his political eloquence. I shall never be a candidate again; and as soon as this matter is fairly finished, shall so announce it, for I have the utmost disgust for politics and politicians as they now exist. I shall have to visit, contrary to my wishes, some of the interior counties of the State, and shall start the last of this week. I shall be gone about three

weeks. If I do not go on to Washington City, I shall come home in June. What a delightful time we shall have this summer! and how fondly and gladly shall I turn from the noisy commendations of strangers, which have been for two or three months dinning in my ears, to the warm, sweet and genuine affections of my mother and sisters! Indeed, I love you all, if possible, more than ever, and wish to return among you, like a bird to its nest. Let me hear from you very often, and especially of your health, about which I am extremely anxious.

Your affectionate brother,

SEARGENT.

It is to be regretted that no adequate record of Mr. Prentiss' various electioneering campaigns through Mississippi has been preserved. Such a narrative, especially if accompanied by suitable pictorial embellishments, would be highly amusing as well as instructive. Probably few men of his age ever performed such feats in stump-speaking. The mere physical exertions put forth in his first canvass alone, were enough to break down a constitution not made of iron. His second canvass, though shorter, was still more exciting and toilsome than the first; coming, too, upon the heels of such exhausting labors at Washington, it is a wonder that he did not sink under it. But in those days his recuperative energies of body and mind were amazing. A single night of sleep sufficed to overcome the fatigues of a month; instead of rising still weary and unrefreshed, he would come forth like the sun, *and rejoice as a strong man to run a race*. Nothing seemed to obstruct the springs of life, or to check the joyous flow of his wit and fine animal spirits. And yet at this very time he was, no doubt, planting in his system the seeds of disease and an untimely death. Such prodigious over-exertion is sure to avenge itself sooner or later.

The following reminiscences of this second canvass, will give some notion of its stirring character :—

I heartily wish I could depict, in the exact colors of truth, Mr. PRENTISS' return from Washington, and the storm of applause which everywhere met him. The citizens of Mississippi, it may well be supposed, had watched with no ordinary interest the progress of their Contested Election through the House of Representatives. At that time party feeling ran very high both at Washington and throughout the country. The conflict between Van Burenism and the patriotic Opposition, led on by Henry Clay and Daniel Webster, was becoming every day more close and deadly. The course, therefore, of a single State, although sending but two Representatives, was a matter of vital importance: it might turn the edge of battle. This circumstance will go far to explain how a case so clear as that of the Mississippi election, should yet have occupied the attention of the House of Representatives for nearly three weeks. The decision in October, declaring Messrs. Claiborne and Gholson entitled to their seats for the whole 25th Congress, had excited the astonishment not only of the Whigs but of not a few Democrats. The determination of those gentlemen to retain their seats after the November election, changed astonishment into strong indignation. It was looked upon as open defiance of the popular will, and a gross indignity to the constitution, laws, and honor of the State.* But in addition to the principle involved, the gallant style in which the rights of Mississippi had been vindicated by Mr. PRENTISS, and the loud plaudits in his

* The moment, for example, intelligence reached Jackson that Messrs. Prentiss and Word had been denied admittance, a large public meeting, without distinction of party, was held to consider the subject. Gen. Foote, Mr. P.'s old antagonist, was appointed chairman, and a series of resolutions were passed—of which this is one :—

"*Resolved*, That the vote of the People of the State of Mississippi in the last November election, clearly indicates that Messrs Prentiss and Word are our legally elected Representatives; and that any effort on the part of Messrs. Claiborne and Gholson to deprive them of their seats, is at war with the wishes of the people—directly opposed to their interests—an open violation of popular rights, and destructive of the elective franchise."

honor, which were reverberating through the nation, reacted with irresistible force upon public sentiment at home. When the opinion of his old friends was endorsed and re-affirmed by such orators and statesmen as Clay, Webster, White, and Crittenden, it seemed to redouble their own estimate of him, while it for ever put to blush the foolish charge of his adversaries, that he was but a mere declaimer, a man of show and not of substance. It were hard to say whether the feeling with which he was hailed on reaching Mississippi, had in it more of pride, admiration, or personal regard; it was full of all three.

His first address to the people was at Vicksburg—at a meeting of both parties, and presided over by the Hon. Wm. L. Sharkey, Chief Justice of the State. He next visited Natchez, and made an address, which is remembered to this day for its noble sentiments and the manly dignity, force and beauty of style with which they were uttered.

The speech was noticed at the time by Mr. Black, the excellent gentleman who then edited the *Natchez Courier:*—

Our city yesterday witnessed the greatest assemblage probably ever convened in this State. Long before the appointed hour the spacious Hall of the Court-House was crowded with anxious expectants. The ladies of the city and county accepted the proffered invitation, and were there to grace the assemblage with their presence, and with their approving smiles to cheer the orator onward in his glorious career. Before the time of meeting arrived it was found that the Hall would not accommodate the vast concourse of people that was assembling. Accordingly, the committee of arrangement, with commendable alacrity, prepared accommodations for the audience in the Public Square, in the rear of the Court-House. Seats were arranged for the ladies on the right and left of the speaker's stand. Our population, even from the most distant parts of the county, seemed to have turned out *en masse*, without regard to party or profession. We noticed in the throng the hoary-headed veteran, the clergy, and those who seldom or never mingle in the noise and tumult of party-strife. The high expectations of all were more

than fully realized. For nearly two hours did the orator excite the fixed attention of his auditory. Description is inadequate to give a proper idea of his powers and of the sway he exercises over the minds of his hearers.

Brief pencil notes of Mr. P.'s address were taken by a young gentleman, while standing in the crowd; and though only a rude outline, they yet afford an inkling of its character. A few sentences deserve to be quoted:—

Fellow Citizens:—A great king of France one remarked, after a defeat in battle, "all is lost save honor." Such may well be the exclamation of the people of Mississippi at the present crisis—ALL IS LOST SAVE HONOR.

Not many months since, you are all aware, an election took place in this State, for Representatives in the Congress of the United States, and I, as one of the candidates for that high mission, addressed you on the great political questions agitating the country.

I now appear before you in another view and on other grounds. I do not ask the support, or vote, of any of my fellow citizens of this State, either on account of their personal friendship for me, or because they belong to the same political party, with whose views I have generally coincided. I come before you as the advocate of a high constitutional principle—a principle before which all the little political quarrels of the day sink into utter insignificance, the great principle of representation.

I believe I am one of the Representatives to Congress from Mississippi—a Representative not merely of my political friends, but of every man, woman and child in the State; for the number, who did not vote for me at the polls were, after my election, equally bound with the larger number, who *did* vote for me, to support the laws and constitution of the State, and to defend their right of representation.

However some of you may differ with me on certain questions, I trust, fellow-citizens, you all will give me credit for candor in my political course. I am anxious that none should

be in error regarding my views. I wish to leave no room for misapprehension, or misrepresentation; and to such an extent do I carry this desire, that I would not receive a single vote which I believed to be given from a mistaken idea of my principles.

This is neither the time nor the place for discussing party questions, nor am I before you for that purpose. But as it has been said that I am anxious to assume new grounds in view of the April election, I will refer you to the unreserved expression of my opinions as I addressed them to you before the November election, and remark that they are unchanged, unmitigated in every respect. If any difference exists, it is that I am still firmer in my devotion to them.

I return to you, a messenger who has not been able to execute his trust. If you had sent in November, as Representatives to Congress, two good "*Democrats*," as they are called, not the slightest breath from that House would have impeded their admission. But you dared to send men of your own independent choice, without consulting the presiding powers at the Capitol, and on that account are defrauded of the treasure of all others, most dear to an American citizen.

That is the real cause why my colleague and myself failed in our errand. The proud position which we held as the defenders of your constitutional rights, impelled us to the performance of our task with unbounded zeal; if there was any deficiency in maintaining those rights, want of ability, not of perseverance, was the cause. I, for my part, have done all I could do to urge the sanctity of your claims. It is for you now to act and send me to act for you. The contest is yours, not mine. I have no personal interest in it. The preservation of your rights inviolate, and the support of your constitution and laws give me a stand elevated far above any private, selfish motive. For them I would shed the last drop of my blood. I only regret that when the attempt was made to fasten dishonor to your name, the Senators who represented you in the other wing of the Capitol, did not at once show their indignation at the act, and return home also.

But it was said at Washington, that if a new election were to be held, Messrs. Gholson and Claiborne would receive a majority of 5,000 votes. This I found to be the opinion which one of your Senators entertained and had circulated. It may be his opinion, but this is surely a curious way to decide a great constitutional question; and yet strange as it may appear, it was not without its influence. Rely upon it, chains have been forged for you at Washington City, and it is expected you will put them on. Mississippi is still free, but she is called on to do the work of her own degradation. Will her proud spirit brook it?

I deny that the coming election is valid,—it cannot be under your Constitution; and although a sense of honor forbids me to resign, I solemnly declare to you that if I am sent back, I will consent to be sworn only under the November certificate. I will not take my seat under any other election than that which is held in accordance with your Constitution and laws.

Your sacred rights can be preserved inviolate, under no other election than that of November. If it be not your wish to maintain the sanctity of those rights and give renewed evidence of the high importance with which you deem them invested, then will I assuredly retire. Against the expressed will of the majority never will I urge my claims. If there be any among you willing tamely to submit to this humiliating deprivation of your Elective Franchise, or who think my colleague and myself were not constitutionally elected in November, I do not ask their votes.

I reiterate, then, let every one that believes that Messrs. Claiborne and Gholson were constitutionally elected to the 25th Congress in July last, sustain them now. But if you, on the contrary, believe that in November last Mr. Word and myself were constitutionally elected the Representatives of the State—the whole State and not of a party, you cannot now consistently refrain from sustaining us. If the People once elect an officer, all party considerations should be instantly lost sight of, and it becomes the duty of every citizen to acknowledge and defend him as such. It matters not whether that officer be an Administration man, Whig, National Bank, State Bank, or Sub-

Treasury advocate, all are alike bound to maintain his rights. Though our State Governor may be hostile to our political views, yet should some foreign power attempt to wrest from him those rights which pertain to his office, how soon would all parties rally to his rescue. I did not vote for him, but it is sufficient for me to know that the popular voice has made him our Governor.

In this contest, I repeat it, I have no personal interest more than any other citizen. Did I not believe that the people themselves would sustain me in the high and arduous contest for their rights and privileges, in which a sense of duty to them and their honor alone prompts me to continue, I would at once have resigned; for so far hitherto as I have trodden the political path, I assure you experience has left me no desire to continue therein. My green ambition is fully satisfied; a political life has no allurements for me.

I always understood that constitutions were intended to guard against majorities, and restrain lawless acts, as embankments and levees are erected to prevent overflows of rising streams. Constitutional principles alone can I look to. If the people did not think I was constitutionally elected in November, well—so let it be. But let us not submit to have our Constitution trampled under foot. This is the first instance in our history of legislative tyranny, and if we bow our knees to it, we only pave the way for a second violation.

I fear, fellow citizens, the fundamental principles of our Constitution are fast passing away. That Constitution is like the splendid edifices of some noble city, which looks as if it would bid defiance to the ravages of time, but there are catacombs beneath it which are gradually undermining its strength and may soon engulph it in their caverns. Do we not every day see men lured away from some great principle to support a little party vote? Will you submit to have your representation played shuttlecock with, and bow to the errors of that arbitrary monarch—the House of Representatives?

The grand principles of our Constitution appear to us exalted beyond all contingencies—all innovations; but in this we do not repose on a wholesome security. The first instance in which

we are called upon to assert the inviolability of these principles, will prove to us the extent of secret plotting which has been working their decay. We shall find ourselves in the situation of a well-trained band of soldiers, who, supposing themselves beyond the reach of danger, are attacked by midnight marauders, and thrown into such confusion that they lose the benefit of their discipline, and fall a ready prey to destruction.

The sacred right of representation is the most valuable we possess. If robbed of it, nothing can compensate us. You may gather all the principles which enter into the Constitution of our Government—make a clustering wreath of them, and what would the whole be worth compared to the countless blessings of representation?

Reflect well on your position. No government has a right to surrender vital principles, and in this respect individuals and governments resemble each other. These principles are ours in trust, not to exchange and barter at our will: if they were intended merely for the present generation, then, indeed, we might surrender them with less dishonor; but they are sacred rights, vested in as many generations as we can imagine, and which we ought not to surrender even at the point of the bayonet. The framers of the great Constitution looked down the stream of Time and saw a thousand generations sitting upon its banks, all waiting for the rich legacy to be wafted to them, to use, but not abuse it, and then waft it on to others.

When looking into futurity, fellow-citizens, I contemplate the rising and rapidly developing glories of Mississippi, and behold the proud destiny opening before her, she seems like a rich bride reclining on the arms of the majestic Father of Waters; and amongst her sister States the most beautiful of them all.

But her honor is at stake! If a young man commit some dishonorable action and tarnish his fair fame, no future years of amendment, however well spent, can efface the stain: as time rolls onward it may become dimmer and dimmer, but the finger of envy or the tongue of scandal will never permit it to be lost in oblivion. This State is now in the position of the young man. Let her look calmly on, and see her dearest rights torn from her,

without a murmur or a blow struck for her deliverance—let her slavishly submit to her oppressor's mandate, and an indelible stain will remain upon her to the latest generations. Let not party spirit recklessly affix this stigma upon her escutcheon, but let us all, in the united and invincible strength of freemen, rally to the support of the Constitution.

I deprecate all excitement not belonging to the true question before the people. But I regret to see that one of the late members has not the same feelings. Having given up all other subjects, he has taken to Abolitionism, and seems to wish this great constitutional question decided as Abolition or no Abolition. It is true he does not charge upon me, or any other individual, Abolition doctrines; but what is the fair inference to be drawn from this parade of his anti-Abolition principles, in a question where there is not the shadow of an excuse for introducing them. I deprecate, with the utmost regret, this attempt to throw firebrands around us.

And, now, in conclusion, I thank the fair portion of my hearers for the attention they have paid to the discussion of the important principles brought forward in this address. Upon the maintenance of these principles, so dearly prized by every lover of our civil institutions, *their* happiness and interests depend. Yes, I appeal to them also, and am confident they would see those most dear to them—their husbands, sons, brothers, and their sweethearts—exposed to all the hazards of war, rather than that through inertness or want of the spirit of patriotism, they should shrink from a fearless and manful support of the Constitution.

We now return to the reminiscences:

In the spirit of his speech at Natchez, Mr. PRENTISS conducted the canvass throughout. One of his opponents made no speeches, but flitting through the State *sub silentio*, spent his time very diligently in writing letters, issuing defences of his course, and trying to persuade the people of Mississippi that Mr. Clay was in close alliance with the Northern Abolitionists.

Gen. James Davis (who took the place of Mr. Gholson, the latter having declined running), canvassed the State, but, after one or two encounters with Mr. Prentiss, chose a different route from his antagonist. Mr. P. also broke a lance with other generals, and redoubtable leaders of the Administration party, while traversing the State—and were it worth the while, a whole chapter might be filled with amusing scenes of mishap and overthrow which befell them. No man was rash enough to enter the lists against him in this contest without being smitten to the earth. Some gentlemen, since noted in public life, could readily bear witness to this fact in their own persons; and many are the citizens of Copiah and other counties, who could attest it as delighted spectators of the affray.*

There is no end to the anecdotes illustrative of the power of his oratory. On one occasion, while he was speaking in his most fascinating manner, an old Democrat present became so charmed and excited, that, at the conclusion of the address, he walked towards him, and ripping his coat open behind, as he did so, cried out: "Well they may call me a turn-coat, if they choose; but I won't be that—I shall just *back out* of my coat, and vote for S. S. Prentiss and T. J. Word."

Numerous devices were resorted to by his opponents (such as the cry of Abolitionism against Mr. Clay), in order to divert the attention of the people from the real point at issue; but it was all in vain. All in vain, too, were the affectionate messages from Washington, entreating the faithful Democracy not to allow Messrs. Prentiss and Word to be returned. After a canvass of unparalleled energy on the part of the Administration forces, they were triumphantly sustained. I say "triumph-

* In a letter dated Vicksburg, April 18, 1838, the friend already referred to, writes: "Your brother left here the 1st day of April, with the intention of traversing the middle, eastern, and northern portions of the State. He is to-day in Pontotoc. I heard from him in Copiah, a strong Van Buren county, where the people were actually so proud of him and the stand he had taken, that after he had finished his speech, and they had thundered their applause, they bore him aloft in the crowd on their shoulders to his hotel, shouting all the while—*Hurrah for Prentiss! Prentiss for ever!* Wherever he goes, shouts of applause, public dinners, the gratulations and admiration of friends and foes mark his progress. His election is looked upon here as certain."—Ed.

antly;" for although Mr. PRENTISS himself was rather mortified at the result, it was indeed, under the circumstances, a genuine victory of patriotism and the Constitution over mere party interests and selfish demagogism.

A few specimens of the returns of this election as compared with those of July and November, 1837, will perhaps interest you. Mr. Claiborne was the highest candidate on the other side.

The aggregate vote was less than in November: but at that time, it should be remembered, the biennial State elections, as well as that for members of Congress, were held. At a special election, it is always extremely difficult to call out a large class of the people; so that in truth, the vote in April was a stronger expression of the popular sentiment than that of November.

Counties.	JULY, 1837.		NOVEMBER, 1837.		APRIL, 1838.	
	Prentiss.	Claiborne.	Prentiss.	Claiborne.	Prentiss.	Claiborne.
Adams.	577	210	610	136	693	299
Madison.	540	361	709	104	621	279
Hancock.	22	49	26	116	129	22
Hinds.	837	595	1247	123	1107	403
Lowndes.	367	549	437		604	532
Newton.	1	112	46	88	65	137
Tisheningo.	3	364	31	354	57	272
Warren.	403	181	870	248	773	264
Chickasaw.	16	86	24	5	45	82
Yalobusha.	182	456	478	500	567	466
Noxubee.	254	323	279	3	351	406
Carroll.	252	350	549	281	500	368

These figures indicate better than any words could do, the effect of Mr. PRENTISS' speeches and personal popularity upon the canvass.*

* This period may be considered the golden prime of the genius of PRENTISS. He had the whole State for his audience, the honor of the State for his subject. He came well armed and well equipped for the warfare. Not content with challenging his competitors to the field, he threw down the gauntlet to all comers. Party, or ambition, or some other motive, constrained several gentlemen—famous before, notorious afterwards—to meet him. In every instance of such temerity, the opposer was made to bite the dust.

The ladies surrounded the rostrum with their carriages, and added by their beauty, interest to the scene. There was no element of oratory that his genius did

It would be unjust not to say, in this connection, that his colleague, Mr. Word, who was a gentleman of excellent character and abilities, contributed not a little to the successful issue.

The utmost delight was felt at the result of this election, not only in Mississippi, but throughout the Union. No case of the kind had ever excited such universal attention. The progress of the canvass was watched with especial interest at Washington; Mr. PRENTISS' appearance there having attracted to him the warm affection of not a few, and the admiration of all the members of his party. His defeat would have been a personal disappointment to almost every Whig in the country, and not least to such men as Clay, Crittenden, Preston, Southard, and the venerable Judge White, who were among his warmest admirers.

The enthusiasm of his friends in Mississippi was unbounded. Their hearts had become so enlisted in the contest, that some of them were quite beside themselves with joy; they almost saw the advent of a Whig millennium in the triumph of their favorite candidate. But, alas! it was not long before the delusion vanished. Something very different from a Whig millenium, or even decennium, awaited the politics of Mississippi!

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not supply. It was plain to see whence his boyhood had drawn its romantic inspiration. His imagination was colored and imbued with the light of the shadowy past, and was richly stored with the unreal but life-like creations, which the genius of Shakspeare and Scott had evoked from the ideal world. He had [illegible] spell-bound, among the scenes of mediæval chivalry. His spirit had dwelt, until almost naturalized, in the mystic dream-land they peopled—among paladins, and crusaders, and knights-templars; with Monmouth and Percy—with Bois-Guilbert and Ivanhoe, and the bold McGregor—with the cavaliers of Rupert, and the Iron enthusiasts of Fairfax. The fluency of his speech was unbroken—no syllable unpronounced—not a ripple on the smooth and brilliant tide. Probably he never hesitated for a word in his life. His diction adapted itself, without effort, to the thought; now easy and familiar, now stately and dignified, now beautiful and various as the hues of the rainbow, again compact, even rugged in sinewy strength, or lofty and grand in eloquent declamation.

With such abilities, and surrounded by such circumstances, he progressed in the canvass, making himself the equal favorite of all classes. It was less a canvass than an ovation. Old Democrats were seen, with tears running down their cheeks, laughing hysterically; and some who, ever since the formation of parties, had voted the Democratic ticket, from coroner up to governor, threw up their hats and shouted for him.—*United States Law Magazine, May*, 1852.

It would require the pencil of a Wilkie, and the pen of a Dickens, to do justice to the comical scenes, which relieved the weariness and mental toils of this canvass. The hero of the campaign himself thus described two or three in responding to a toast at the New England dinner in New Orleans, after his removal to that city.

Mr. Prentiss replied in his happiest style. In the course of his speech he told two of his electioneering reminiscences, which "set the table in a roar." He said that some dozen years ago he went to Washington, thinking he was a member of Congress, but he found his mistake and came home as fast as possible to get right. He sent printed bills, containing his appointments, several weeks ahead of him. Now there was a caravan just at this time perambulating the State, and the proprietor availed himself of the gathering collected by Mr. P.'s notices.—This, by the way, said Mr. P., was quite in the ordinary course of things, as an observer of political excitements must have remarked, that a caravan of some kind or other usually follows in their wake.

The first time Mr. P. "saw the elephant" was in —— county, in the northern part of the State, near the Alabama line. It is one of the most beautiful counties in Mississippi, its population chiefly from South Carolina, and though they had voted against him at the previous election, he hoped their State rights notions would bring them into his support at this contest, when he did not run so much the candidate of a party as the representative of the State, whose dignity and sovereignty had been outraged in his person. At the appointed hour he found over three hundred ladies and gentlemen assembled to hear him. He was in "high feather" and began to speak with more than usual energy. The audience listened with marked attention, and he felt sure of bagging his game. When he had spoken about an hour he observed some of the outsiders looking over their shoulders, and this movement was gradually followed by more of his audience. He began to think he was growing dull, and endeavored to

rouse himself up to more animation; but it was all in vain. He at length looked in the popular direction, and there, to his horror, just coming over the hill, was the elephant, dressed in his scarlet trappings and oriental splendor, with a houdah on his back, occupied by the musicians, and in the rear came a long line of wagons and cages. A foolish feeling of vanity, not to be outdone by the elephant, came over him, and he continued to talk, appealing to the people in the name of the State, their patriotism, &c., &c., but all in vain. A few well mannered persons remained, but evidently they were retained only by their politeness.

He found it was of no use. So he said: "Well, ladies and gentlemen, I am beaten; but I have the consolation of knowing that it is not by my competitor. I will not knock under to any two-legged beast, but I yield to the elephant." To be sure, he was at first provoked by the preference shown to the beast above himself, but on reflection he was inclined to think the people were right. A Bengal tiger or an Indian elephant was an animal to be seen once in a lifetime, but politicians they could see every day.*

He said, however, he had his revenge a few days after. He found that he must come to some understanding with the caravan. So he agreed with the proprietor that at Holly Springs he would address the people under the great awning for one hour, and then he would give way to the monkey and the clown. He hoped this would not be charged on him as "bargain and corruption." At any rate, it was honestly carried out by both parties. Between himself and the caravan, a large assemblage was

* But alas! for the days that we have seen, when "*there were giants in the earth*," when PRENTISS could take a whole caravan, elephant and all, after him! Now half a dozen candidates can only scare up a single monkey.

About that elephant, by the way, there is one anecdote which we heard substantially from one of the parties, but have never seen it in print. P.'s friend, A. M., resented the interference on the part of the elephant, very highly, and offered to be the bearer of a letter to him. "I wouldn't notice him, Andy," was PRENTISS' reply, "he's no gentleman; don't you see he *carries his own trunk*." It is well known that a compromise was afterwards effected according to which they divided the time and the pavilion; PRENTISS taking the lion's share. *The Prairie News*. Okolona, Miss., Oct. 20, 1853.

gathered under the immense awning. One of the cages was converted into a rostrum. He heard a low sound which resembled a growl, and learned that the hyena was his nearest listener. There were large auger holes in the top of the box, for the admission of air. He commenced speaking, and when he reached the blood and thunder portion of his speech, he ran his cane into the cage and called forth a most horrible yell from the enraged animal, at the same time gesticulating violently with the other hand. "Why, fellow citizens," he would exclaim, "the very wild beasts are shocked at the political baseness and corruption of the times! See how this worthy fellow just below me is scandalized! Hear his yell of patriotic shame and indignation!" The effect was electric; he called down the house in a perfect tempest of enthusiasm. From this time he had it all his own way. He hurled his anathemas at his foes, and enforced them by the yells of his neighbor. The hyena was good for a hundred votes, and he thus converted a mischief into a profit.

In a letter to his sister Abby, he thus announces his return to Vicksburg :—

VICKSBURG, *May* 3, 1838.

MY DEAR SISTER:—

I returned day before yesterday from my electioneering tour, after an absence of nearly five weeks. Among the luxuries which awaited my arrival, were letters from yourself and Anna, for which I thank you both heartily; and in return will give you some little account of myself. First of all, I suppose you have become such politicians, that you will be anxious to learn the result of the election. Well, then, to set your minds easy on that score, I have no doubt of my election and very little of Mr. Word's; nearly all the State has been heard from, and the remaining portion cannot change the result. A most desperate effort has been made by the Van Buren party to beat me, but without success. My majority, however, will not be large, about 1500, though I am foremost. Had I not gone out among the people, and exerted myself, I should have been beaten. I shall

start for Washington City in about ten days or two weeks, and expect to get there before they adjourn. In a few days after the adjournment, I shall be with you; and a most delightful change it will be, after the bustle of politics and business in which I have, for the last six months, been so deeply immersed. I had a somewhat laborious, but otherwise pleasant trip through the State; enjoyed excellent health, and was received with great enthusiasm by my political friends. However, I am heartily tired of the dear people, and shall leave them hereafter to manage their own affairs. Who do you think is sitting by me, reading your letter? It is S.; he popped in very unexpectedly today. He has been to New Orleans and is on his return. His health is good, and I rather think he will be with you soon after this letter. I shall write you immediately after my arrival at Washington City, and shall expect to hear from you often while there. Tell Anna she must not allow the doctor to prohibit her writing letters to me, and you must take good care of your health too, or it will spoil all our pleasure this summer. Good bye.

Your affectionate brother,

SEARGENT.

In a letter, dated Vicksburg, May 17, 1838, a legal friend, now a leading member of the Mississippi bar, writes:—

Your brother takes his departure for Washington in a few hours, and I cannot let him leave without conveying to you the joy which I, in common with nearly every one around me, feel at his re-election. But I have not time to dwell a moment upon it. He will see you himself soon, and can tell you more in an hour than I could write you in a week. There is one matter, however, about which he cannot and will not speak as freely as I both can and will—and that is, an address which he delivered last night. It was to a jury, upon the destruction of the cotton-shed, built by the Railroad Bank on the Common—on that portion of it sold by him to the Bank. He spoke two hours; and I never in all my life conceived of such

a speech—so bitter, so sarcastic, so caustic. For the world I would not have been a member of the corporation. I never felt so little and humbled in my own estimation. I almost determined never to open my mouth in the presence of the same persons again. Oh, would that you could have heard it! Holt spoke in the same cause; but his speech was the report of a single cannon, while your brother's was the roar of a thousand. Indeed, I do not exaggerate. Friends and foes agree that it is the best speech they ever heard from him, or any one else, at the bar of justice. The jury are still considering the matter. They will, doubtless, bring in the full amount of damages claimed.

The morning after reaching Washington, he presented himself in the House of Representatives to be sworn in. As Mr. Polk descended from the Speaker's desk to administer the usual oath, Mr. Prentiss remarked that, before taking it, "candor compelled him to inform the House, on behalf of himself and colleague, that they did not claim their seats by virtue of the recent election in Mississippi, but by virtue of the election in November last; that they looked upon the recent election as unconstitutional and wholly invalid." He further said that "his colleague and himself could not conscientiously take the oath under any other election than that of November, and that upon their consciences they should take their oaths and seats, if they took them at all, by virtue of that election alone. A high sense of duty both to himself and the House, called upon him for this avowal, that if any wished to make objection, they might have the opportunity for so doing."

While he was making these remarks, Mr. Polk resumed his seat; at their close, no objection being offered by any member of the House, he returned to the clerk's table, and handing the Bible to Mr. Prentiss and his colleague to kiss, forthwith swore them in. Yet the House had solemnly decided, only a few weeks before, that the November elec-

tion was invalid, and, on the ground of that invalidity, had refused to acknowledge the identical certificates, under which Messrs. Prentiss and Word now obtained their seats!*

The following letter shows that he did not place a very extravagant estimate upon his hard-won honors :—

TO HIS SISTER ANNA.

WASHINGTON CITY, *June* 2, 1838.

MY DEAR SISTER:—

Here I am at last, a member of Congress, and no man, I imagine, ever labored as hard for the poor privilege of having M. C. at one end of his name, and Hon. at the other. The bauble seems scarcely worth the wearing, notwithstanding I fought so fiercely for it. I arrived here some three days since; and as you have already learned, fell in with G. on the way. He immediately turned in to writing letters so fast, that it took most of my leisure to frank them, which is the reason I have not paid my respects to you sooner. I was very glad to see G., and hear from you all, and was somewhat disappointed at not finding letters from you awaiting my arrival, as I presumed you had heard of my election many days ago. I suppose S. is with you by this time, and I hope to be there soon myself. Congress will probably adjourn sometime between the first and middle of July. I care not how early, for I am already tired of the place. Dullness seems to be its presiding deity, and to hold special sway over the deliberations of the honorable body to which I belong. I trust you and Abby will both be well when I get home, for I anticipate some famous times with you. In making your plans, don't forget a trip to the White Hills. I shall expect to hear from you all very often, and shall not fail to be a frequent correspondent myself, though if you are much of a politician, you will doubtless be disappointed, as I take very little interest in that subject. However, as I become

* The certificate of Gov. McNutt is among Mr. P.'s papers, with the following endorsement: "Credentials for Congress, under April election, 1838 (not taken on, or used at all). I refused to acknowledge the validity of this election, and did not present the credentials, but claimed under the old election of November, 1837.—S. S. P."

more involved in my new mode of life, I may like it better. Good bye.

Ever your affectionate brother,

SEARGENT.

The following incident, mentioned in a letter from Mr. Word, is too characteristic to be omitted :

There is one matter, to which I deem it of importance to call your attention. Being Mr. PRENTISS' junior, and quite unknown till associated with him, he had great influence over me; he always avoided exercising it, however, as much as possible. When we returned to Washington City, the pay was due us for *per diem*, and our *mileage* for two trips; for we had both determined to receive nothing in case the People of Mississippi confirmed the vote of the House rejecting us. We acted on the ground that if we had no right to our seats, we were not entitled to pay for going on and contesting them. Soon after we reached Washington, in May, 1838, Mr. PRENTISS suggested to me to draw my pay; I did so, and received what the law allowed me; to wit—mileage for both trips, about $1600 each, and per diem for the time we had been in attendance upon Congress, contesting our seats. Shortly after this, he informed me that he should not take the second mileage—that we had been unjustly deprived of our rights and compelled to return home, when we ought to have been performing the duties committed to us by our constituents. He had refrained, he said, from communicating to me his intention, lest I should think it more in accordance with propriety to adopt the same course, and that he had suggested to me to draw my pay, at the time he did, in order that I might act without reference to him.

It has been stated to me, that when he drew his pay, he charged for the first mileage, and per diem for the whole time after he first presented his credentials to the House, and that this was the sum he actually received. This would be less by some $750 or $800, than the two mileages, and per diem during the time we were actually there. He told me himself, that he

settled his account in that way. But it has also been stated to me, that, by some strange mistake of the Clerk of the House, Mr. PRENTISS is charged the larger sum, whilst I am charged the smaller, and that a balance appears on the books to my credit and none to his. This, if true (and I have no reason to doubt it is so), ought to be adjusted. His honored name and his high sense of justice ought not to be thus left. Make the proper inquiries, and I stand ready to have the funds passed to his credit, or to draw them for his family, to whom they most justly belong.*

After his return, he took little part in the business or debates of the House. His principal speech was upon the Sub-Treasury Bill. This bill, embodying the financial policy of the Administration, was opposed by the Whigs and Conservatives as a measure fraught with almost every kind and degree of political evil. It is hard at this late day, to credit the amount of party and even personal feeling, engendered by this scheme. Hostility to it was long a favorite war-cry of the Whigs. It was the great matter of discussion during this session of the 25th Congress.

"Never," said Mr. Prentiss, in a speech delivered by him in New York a few weeks after the adjournment, "never was there fought a political battle worthier of lasting fame for the immense display of talent which it summoned into action. The Administration, with its forces well-drilled in all the strategy and manœuvres of partisan warfare, came on in solid phalanx, confident of success. Day after day did the contest rage in the Senatorial wing of the Capitol. There the great men of the nation were arrayed against each other. It was, indeed, a battle of the giants. There was Daniel of the North, with his huge battle-axe, which none but himself could wield, and which none could resist.

* Mr. Word was misinformed on the last point. The balance, as stated above, was found on the Clerk's books, credited to Mr. P.—ED.

He struck the Administration to the knee, and then, like Satan, it

> ——'First knew pain,
> And writh'd it to and fro convolv'd.'

Again it arose and again was smitten down by the same strong arm. There, too, in the thickest of the fight, might you see Harry of the West, with his double-edged sword, like that of Richard Cœur de Lion, hewing down all before him. There, too, against him, was the Saladin of the South, with turbaned head, and the keen-pointed scimitar of logic in his hand; he had lately joined the Moslem ranks, carrying with him the skill and science of a Christian general. His weapon cut through obstacles, which could not be harmed by the ponderous axe and sword of his adversaries.

After long and fierce encounters, the lance of the Administration was wrested from them and they were driven in dishonor from the Capitol."

The following letters show how completely the journeyings, toil and excitement of the past nine months had worn him out.

TO HIS SISTER ABBY.

REPRESENTATIVE HALL, *June* 14, 1838.

DEAR SISTER:—

I have been so busy since I arrived here, that I have hardly had time to write at all. I will not, however, allow this excuse to operate any longer. I have nothing either new or interesting to tell you. The weather has been, and still is, oppressively warm, and legislation stupidly dull. I am already thoroughly tired of the place. I made a short speech the other day on the pre-emption bill, as it is called, which, perhaps, I may write out for publication. In the course of next week, the great measure of the Administration, the Sub-Treasury scheme, will probably come up for discussion; when it comes up, it is

expected that I shall make a speech against it, and I shall, in all probability, do so. I hope for an early adjournment, but fear the sitting will continue until the middle of July. I am extremely anxious to be with you. I shall enjoy myself very much, I know, this summer. I have been so much engaged since last fall, and have labored so hard, both physically and mentally, that a little rest will be a luxury to me of itself; how much more so when enjoyed at home with those I love so well. You must all be sure and be well, this summer, for I shall want to make some excursions into the country with you. Don't fail to write me often while I am here. I am called away and can barely say, my love to you all.

Your affectionate brother,

SEARGENT.

TO HIS SISTER ANNA.

HOUSE OF REPRESENTATIVES, *June* 26, 1838.

DEAR SISTER:—

While a very stupid debate is going on, upon some matter in which I feel no sort of interest, I will take advantage of the buzzing dullness, and indulge in the pleasure of conversing with my dear friends at home. I have become so imbued with political matters, that I can hardly talk or think of anything else. So I will, in the first place, give you some political information. The notorious Sub-Treasury scheme has at length been defeated by a majority of fourteen. The vote was taken on it yesterday; and will, I presume, be received with much pleasure by the country. You will, probably, have seen by the papers that I made a speech against the bill. Considering the subject had been so much exhausted, I had no reason to complain of my success. I was honored with a crowded audience, who were very attentive and, as I understand, were much gratified; perhaps it arose from sympathy for so innocent and unsophisticated a youth. Probably they scarce expected "one of my age to speak in public," &c. I don't know whether I shall take the trouble to write out my speech. I had rather make ten than write one; and as I am determined to quit political life, I see no reason for putting

[illegible] to much trouble. We have fixed upon the 9th of July for adjournment, and I am glad it will come about so soon; for I am heartily tired of this place. I cannot but smile at myself, when I reflect how much I have labored to obtain that which I so little value. I envy G. his literary pursuits in the cool shades of New Haven. The weather is excessively warm, and I shall feel like getting out of prison when I leave here. I long to be at leisure, for both body and mind have become fatigued by the continued exertions I have been under the necessity of making, during the last six or eight months. You will find me, I am afraid, a very dull and lazy companion. I hope I shall not be troubled with too many civilities in Portland, or it will drive me into the country. I don't want to see anybody except our own old friends. My love to you all.

Your affectionate brother,

S. S. P.

It is to be regretted that his speech on the Sub-Treasury bill was never reported. It contained an elaborate exposition of his views on the reciprocal benefits and inter-dependence of the agricultural and commercial interests of the country—upon the friendly relations which ought to exist between labor and capital—and also upon the importance of binding in closest union the North and the South. On the last point mentioned, he expressed himself with great energy, and in a spirit becoming an American statesman. A member of Congress, writing at the time to a friend in Kentucky, thus refers to this speech :—

The discussion upon the Sub-Treasury bill is now fully under way, and the result is doubtful. The House has been infinitely amused during the last two days with the rejoinder of Mr. Prentiss, of Mississippi, to Mr. ———, of ———. The Mississippi orator has all the power and the brilliancy for which fame has given him credit; in truth he is, beyond all controversy, the first man of his age in the country: and his annihilation of the

fiery apostate of ———, will long be remembered in this House as one of the most signal triumphs of mind over mind.

Just before the close of the session a bill came from the Senate, where it had been strongly opposed by Messrs. Webster, Clay, and Calhoun, giving the custody of the public money entirely into the hands of the Executive, and prohibiting the reception of notes under the denomination of twenty dollars, or those of any bank which issued notes of a denomination less than five dollars. Mr. Prentiss made an amusing impromptu speech against this bill, which is worthy of mention, from its connection with a characteristic motion of John Quincy Adams. Mr. P. seemed to be a special favorite with the aged ex-President, as indeed, he was with old men generally. The following is the pith of a contemporary notice :—

Mr. PRENTISS then took the floor, and proceeded to animadvert with great severity on the introduction of the bill at this late hour, and upon the preconcerted movement to force it through the House without a moment's discussion. He declared it to be the last struggle of the Sub-Treasury scheme; the very rump of that odious measure—the last hair on its hide. That bill was dead and buried—this was of the same family : let it be at once gathered to its fathers. If it was intended to punish the United States Bank of Pennsylvania, this government had no jurisdiction in the case. If the government could punish one State corporation, it might another, and so no State bank, or State institution, was safe. As to the old dead United States Bank, he believed there were many around him who would gladly turn resurrectionists—dig up the dead body, turn this Hall into a dissecting-room, and never lay down the scalpel till every muscle, tendon, artery, vein and nerve had been laid bare, and neither form nor substance left.

Amid many interruptions and calls to order, which were decided in his favor, Mr. P. proceeded with his philippic. The great

Administration whale had been harpooned to death, and was now in its mortal agony; he was for backing the boats a little, and enjoying the flounces and plunges while it kept the whole sea in a foam. This bill was one of the last blows of its tail. As to these five dollar notes, which the government opposed so earnestly on the ground of their *immorality*, the people were the best judges whether they were good money or not; if not, they would not take them, and the banks would issue no more of them, and so the bill was needless. If the notes were good money, and the people liked it and wanted it, the bill made war on the wishes of the people; and as to the sin of the matter, they did not require the Administration to act as Lord Chancellor, to take care of their consciences. Before Mr. P. had concluded, a motion was made to adjourn.

Mr. Adams inquired of the Chair whether, if the House should refuse to adjourn, the gentleman from Mississippi would lose his right to the floor?

The Chair replied that, in strictness, he would not; by courtesy, however, it had been usual to allow a gentleman, in such circumstances, to retain the floor. He had no right to it under the rules.

Mr. Adams made a point of order.

The Chair said this was out of order, pending a motion to adjourn.

The yeas and nays were taken on the question of adjournment and resulted as follows: Yeas 16, Nays 142. So the House refused to adjourn.

Mr. Adams now made his point of order. He said it had been decided by the House that this bill was to be rammed down the throats of the minority without any discussion, and now the gentleman from Mississippi was presuming to discuss it. He wanted to know if the gentleman was in order. (Laughter.)

The Chair required Mr. Adams to reduce his question of order to writing.

Mr. A. did so, and offered it in the following form:—

"It having been determined by a majority of the members of this House that this bill, a highly penal bill, subjecting the citizens of the United States to fine and imprisonment, should be passed by the operation of the Previous Question, without debate

or discussion, is the gentleman from Mississippi (Mr. PRENTISS) in order in obtaining the floor, and consuming the time of the House, against the sense and intention of a majority of said members?"

It being decided that he was in order, Mr. P. went on a good deal too fast for us to report him. He compared the old currency, before "the experiment," to the bread of the people; this the Administration had taken away and given them a stone. But not content with this, they now envied them their little ginger-cakes—these poor five dollar bills. It was really cruel. He could not but fancy that he heard in the language of this bill the last growls of the old Tennessee Lion. How it would make his eyes flash and lighten to witness this final attack on Biddle and Biddle's Bank! It would awaken the *gaudia certaminis*—and be almost equal to a glance at the field of New Orleans!

The Administration had tried to wield his armor: but they might as well take David's course and put it off, for it was too heavy for them. They wanted to play the part of Samson, too, but unfortunately they seized hold on the strong pillars of the State after their locks were shorn. It was vain to strive against the will and wants of the people. The government might as well attempt to enforce an assize of bread as to control the bills of State banks. Mr. PRENTISS went on, in the most comical manner, to appeal to the *compassion* of gentlemen. He hoped, if they had any of the milk of human kindness in them, they would consider the pecuniary state of the people of Mississippi. When lately travelling through the State, he had discovered that the silver ninepences, which used to be hung round babies' necks by a string, had all been cut off and used up, so that the poor infants could not get one of them to cut their teeth upon. (Loud laughter.) The Administration, by this bill, were passing a tacit compliment on the deceased bank; the paper even of the dead Bank of the United States was better than the paper of this living government. The dead Percy was better than the live Falstaff. It was said that when great julep drinkers died, the mint was seen springing on their graves; it seemed so with this Bank of the United States; though it had expired, its issues still continued to supply the people with the best currency.

Before concluding this chapter, it may be in place to say a word further of Mr. Prentiss' position in reference to the sectional spirit and schemes, by which the country was then, and has been ever since, so fiercely agitated. The subsequent narrative will afford ample proofs of the nationality and patriotic ardor of his sentiments. But it ought to be stated, that some of his most influential friends in Mississippi belonged to the extreme Southern party, and that they used strong persuasions to induce him to stand upon the same platform. The following extracts from a letter, addressed to him by a highly distinguished citizen of Mississippi, will illustrate this remark, while they also throw light upon that process by which the State was fast hastening to financial ruin. The letter is dated June 23, 1838 :—

I wrote to you on the 17th, since which time I have had the pleasure of receiving your letter of the 4th instant. We had received intelligence of the stir which your arrival in the city had produced. Your course, both upon the taking of your seat and in relation to the rescinding of the degrading resolution of last session, is entirely approved by your friends. Such an outrage should not be permitted to become a precedent. The repeal of the specie circular, although the latter, from the scarcity of money, has for some time past been nearly a dead letter, yet will remove one serious obstacle to the resumption of specie payments by our banks. The subject is beginning to be spoken of. Our solvent institutions begin to think it the only means of checking the wild operations of the Brandon and some new banks, which, without credit, are now promising to relieve the embarrassments of the poor people by creating money. There are some who think that nothing is required to effect this philanthropic object but slips of paper, duly engraved and signed. With the severe lessons of past experience before us, the banking mania still prevails. There is a striking analogy between our times and those which existed in England about one hundred years since, when Law, and the proprietors of the South Sea and Mississippi schemes,

inoculated the country with the stock monomania. Men's minds are speculating, not upon the means of developing and unfolding the resources of the country, but of creating capital by trick and legerdemain. What is more unfortunate here with us, is that our best financiers, indeed the whole country, have their eyes fixed alone upon the North, and upon the retina is always presented a full-length figure of Mr. Biddle. At a meeting of Bank directors lately in New Orleans, it was formally resolved, that they could not think of resuming specie payments at all without the aid of the agency of the United States Bank. The great emporium of one half the continent, through which the North is now even supplied with meat and breadstuffs, cannot move without the great bottle-holder. In my opinion, there are no questions connected with the currency half so important to the South, as a direct trade with, and in consequence the establishment of a sound credit in Europe. My pride revolts at the idea that we who furnish the basis of nearly the whole foreign commerce, should be dependent on, and pay dearly for, a credit which our agents themselves acquire from the transaction of our business. These feelings, I can scarcely call them principles, now form the basis of my political creed, on the currency questions. They have led me to regard favorably the idea of an entire separation of the government from the money power—a full, entire, and eternal separation. I am not quite sure that I am right, yet I am willing to bear the evils of a trial. Even my distrust of the party now in power, has a tendency to confirm these opinions; not a little encouraged, too, by the honest prejudice which I feel at beholding the pride, insolence and intolerance of the Northern people.

The Union Bank promises to be a great humbug. We are not informed that it has yet taken any decisive step, except to give its President a salary of $10,000, and other officers in proportion. These acts have occasioned great dissatisfaction.

A perfect calm rests upon our State politics. Claiborne, for aught I know, has gone down to the tomb of the Capulets. Almost all the Democratic leaders are turning their attention to the all-absorbing study of the new science of creating capital by

means of ingeniously contrived pieces of paper. In this calm, encouraged by the placid tranquillity of the political lake, now and then a Whig editor will lisp the name of CLAY. Three have assumed boldness enough to raise the gallant fellow's flag. The older and more cunning are waiting further developments. In a short time, however, I look to see the banner raised at the mast-head of the *Courier*, *Register*, *Sun*, *Herald*, *Argus*, *Advertiser*, *Southerner*, and *Star*. Then for a war between the Nullifiers and their old allies. We cannot support Mr. Clay. His opinions of slavery, his views of protection, of internal improvement, in short, his strong Nationalism—notwithstanding our admiration of the man, our confidence in his personal character, and our distrust of the present adminisistration—will not permit us to support him. In my opinion, the Nullifiers in this State are now the stronger portion of the opposition. Their withdrawal will leave the supporters of Mr. Clay in a small minority. Our papers, as you know, are mostly in the control of young men, recent emigrants, and generally unacquainted with State politics. They do not reflect its political sentiments any more than the birds of passage who leave us every spring for the North, do its character.

The same gentleman writes a few months earlier :—

We are approaching momentous times. The fanaticism and deep-seated hatred of one portion of the Union against us is increasing. It is no Sunday mail affair, to be quelled by a single report. Blood alone, I fear, will quench it. I am for meeting it on the threshold. I, therefore, approve of Mr. Calhoun's resolutions, and am sorry to see that Mr. Clay is, in my opinion, unsound upon this subject of Slavery. If the North is tired of us, or considers itself contaminated by a union with us, let it go. Could I now influence the Southern Representatives, I would advise them to meet and recommend to all the slaveholding States to declare, through their Legislatures, that they would no longer submit to official vituperation and insult, and hold out to their sister States the alternative of respectful treatment or separa-

tion. If we submit, we shall soon fall into contempt. I do not believe in an appeal to the good feelings of masses of men. They are as soulless as corporations. The only affections that can be touched, are interest and fear. Let the Northern politicians calculate the value of the Union to themselves. The point of interest is of little importance to us. I know not whether you agree entirely with me in these opinions. I hope you do, but whether so or not, I am sure you will ever possess my entire confidence. Our State Legislature has been organized by the election of Whig officers. Who will be Senator is a matter of doubt. Gwin is given up in despair by the Democrats. Trotter is their candidate. My choice would be Judge Smith or Guion. New Orleans feels deeply the withdrawal of our cotton business, and, in revenge, is using every art to depress our currency. She will not be able to effect this long. We will soon be out of debt, and then the world will come to us for our staple. We hear news of collisions on our northern frontier. A war with Great Britain would now be calamitous; one with Mexico would merely amuse us."

CHAPTER XIII.

Visits Portland—Attends the Public Dinner given to Daniel Webster in Faneuil Hall—Letter from Edward Everett—His Speech on the Occasion—Trip to the White Mountains—Invitation to a Public Dinner in New York—The Correspondence—Reminiscence by Judge Wilkinson—Returns to Mississippi by Sea—Reception at New Orleans—Extract from a Speech at Vicksburg on Disunion—Letters.

ÆT. 29—1838.

Soon after reaching Portland, Mr. Prentiss was waited upon by a committee from Boston, with an urgent invitation to attend the Public Dinner about to be given to Mr. Webster, in Faneuil Hall. He consented to go, though much against his will; for he was on the point of starting, with a company of friends, on an excursion to the White Mountains.

The dinner to Mr. Webster afforded him a fine opportunity to express his admiration for that great statesman. It was one of the most brilliant political festivals ever known in this country. The occasion had called together an unusual number of distinguished men from all parts of New England, New York, and remoter sections of the Union. But no one of them was the object of such eager curiosity as S. S. Prentiss, of Mississippi; for so he was generally designated. The wonderful reports of his oratory, the anecdotes of his personal history—his lameness, too, and the fact that he was a son of New England—all conspired to produce the strongest desire to see and hear him. He was himself not a little excited by the thought of speaking in Faneuil Hall,

and addressing there an audience accustomed to the eloquence of Otis, Webster, Everett, and others hardly inferior to them in the exercise of this noble art. And not only was he to address an audience whose taste had been formed by such masters, but the masters themselves were to be present and speak to the people. It was, certainly, an ordeal, which a young man, whose name but a few months before had scarcely crossed the borders of Mississippi, might well feel some embarrassment in passing through.

The opening address was made by Gov. Everett, who presided on the occasion. It was in the highest degree instructive, beautiful, and impressive—*teres atque rotundus*—like all the productions of that finished orator. Then followed the honored Guest, in one of those simple, compact, and luminous speeches, which can receive no truer or worthier description than to call them Websterian.* "His manner of speech," as Lord Bacon said of the king, "was indeed prince-like, flowing as from a fountain, and yet streaming and branching itself into nature's order, full of facility and felicity, imitating none, and inimitable by any." Or, as rare Ben Jonson wrote of Lord Bacon himself: "No man ever spake more neatly, more pressly, more weightily, or suffered less emptiness, less idleness in what he uttered; no member of his speech but consisted of its own graces. His hearers could not cough, or look aside from him without loss." The main topic of his address at this time was the Sub-Treasury scheme, to whose recent defeat his own ponderous arguments had so largely contributed.

Mr. Webster was followed by Gov. Ellsworth, of Connecticut, Hon. Abbot Lawrence, Ex-Governor Lincoln, Hon. Peleg Sprague, and other distinguished speakers.

The following account of Mr. Prentiss' address will be

* See Webster's *Works*, vol. I. p. 417.

read with peculiar pleasure. Commendation from such a source is indeed *laudari a viro laudato.*

EDWARD EVERETT TO THE EDITOR.

CAMBRIDGE, *Feb.* 5, 1851.

DEAR SIR:—

I have much pleasure in complying with the request contained in your letter of the 30th ult. I well recollect the appearance of your brother at the dinner given to Mr. Webster, in Faneuil Hall, in July, 1838. The company was much the largest which I ever saw assembled at dinner in any permanent building, and, with the exception of the Guest of the day, no one was received with so much enthusiasm as Mr. PRENTISS. Much was anticipated from his speech, but the public expectation was more than realized. He rose at rather a late hour, and after a succession of able speakers. For these, and some other, reasons, it required first rate ability to gain and fix the attention of the audience. I had never had the good fortune to hear your brother, and I must own that I feared he would find himself obliged, after a few sentences of customary acknowledgment, to give up the idea of addressing the company at any length. He was, however, from the outset completely successful. He took possession of the audience from the first sentence, and carried them along with unabated interest, I think for above an hour. It seemed to me the most wonderful specimen of a sententious fluency which I had ever witnessed. The words poured from his lips in a torrent, but the sentences were correctly formed, the matter grave and important, the train of thought distinctly pursued, the illustrations wonderfully happy, drawn from a wide range of reading, and aided by a brilliant imagination. That it was a carefully prepared speech no one could believe for a moment. It was the overflow of a full mind, swelling in the joyous excitement of the friendly reception, kindling with the glowing themes suggested by the occasion, and not unmoved by the genius of the place. Sitting by Mr. Webster, I asked him if he had ever heard anything like it? He answered, "Never, except from Mr. PRENTISS himself."

I rejoice to hear that you are preparing a Memoir of your brother. I hope you will not fail to gather up the remains of his eloquence, forensic, occasional, and Congressional. I am aware that the most skillful reporters must have failed to do him justice. But what he said in Faneuil Hall was so far above the common-places of festive oratory—so full of point and meaning—that I am persuaded he could not have been indebted for his reputation to the interest of his manner, great as that was. Indeed, I think it quite likely that if he had possessed less of this, he might have stood even higher as a public speaker. An address replete with wisdom, argument, thought and wit, and recommended by a fascinating delivery like that of your brother, is sometimes supposed to owe more to the external attraction than the solid merit of what is said. But I do not believe your brother's reputation would suffer, with good judges, by anything like a fair report of the substance of his speeches. I am confident that they had a quality of excellence that would bear the loss of outward manner.

I remain, Dear Sir, with high respect,

Very truly yours,

EDWARD EVERETT.

His speech on this occasion, fortunately, is not wholly lost. An imperfect report of it was published, and may gratify the reader. Some passages are pretty severe; but its sentiments on the sanctity of the elective franchise, on the Union, and the relations between the rich and the poor, will, probably, be regarded as not unworthy of any American statesman.

He was introduced to the audience by the following toast:

"*Mississippi and her distinguished Representative in Congress*:—We welcome him most cordially to this Hall, consecrated to the cause of our Country and Independence. He has fought a good fight, and deserves, and will receive, the gratitude and admiration of his country."

Mr. PRENTISS* rose, to return his most sincere and profound thanks for the honor which had been done to him, and to the State he had the good fortune in part to represent. He hardly knew in what form to present what he had to say, or where to begin. It had been his lot, especially of late, to address his fellow citizens on various occasions, and under almost all possible outward circumstances. Sometimes he had spoken to them under no other roof than the broad arch of the heavens; at other times, canopied by the branches of the primeval forests of the Southwest; at others, within the structures of the hands of man; but never had he stood before an audience in such circumstances as now surrounded him; never before had he listened to the echo of his own voice from the walls of old Faneuil Hall. (Cheers.) He hardly knew whether to address himself to the dim and venerable shadows of the past, or the more real and palpable forms which met his eye. Faneuil Hall might justly be styled the very Mecca of Liberty. (Great cheering.) Aye, and the Mecca of Whiggism also. (Immense applause.) He came hither as a pilgrim from a far distant home, to lend his feeble aid in doing honor to one of the greatest champions of both. He felt, as he stood in that place, a holy awe upon his soul; the very walls and rafters of the building seemed redolent of the spirit of American Liberty. The air he breathed in such a spot was healthful and instinct with life. He would recommend those who were troubled with political maladies, to come here. (Cheers.) This was a Bethesda in which they might wash and be clean from whatsoever disease they had. Yes, let the lame, the halt, and the blind, and those who were possessed with loco-foco devils, all come and be made whole. (Loud and long cheering.) He had said that he came as a pilgrim, and had been admitted as such, but now he was in, he should claim far more; he should claim his place on that floor as himself a son of Massachusetts (cheers), for he had first drawn the breath of

* This report, the only tolerable one of Mr. P.'s speech, appeared in the *N. Y. Journal of Commerce*. Several others were published, but they are little better than caricatures. They, however, supply omissions in that of the *J. of C.*, and have, in some passages, been followed.

life under the wings of the authority and institutions of the old Bay State. Maine, now almost a match for her foster mother, was then a part of this ancient commonwealth. (Great cheering.) But he would claim his seat on yet higher grounds; he claimed it as a fellow citizen of this broad Union; and as such, it was his right and duty to render the public tribute of his gratitude to every illustrious, patriotic son of the Republic. Though he counted the distance of his home from this hallowed spot by thousands of long and weary miles, his heart beat in sympathy with all the hearts around him. (Great cheering and shouts of applause.) His State and theirs rested on the same broad platform of constitutional Freedom. (Here Mr. P. pointed to the sentence from Mr. Webster's last speech on the Sub-Treasury Bill, which was emblazoned in large letters on the front gallery.—"*I am where I ever have been and ever mean to be:* HERE, *standing on the platform of the general Constitution—a platform broad enough and firm enough, to uphold every interest of the whole country*, I SHALL STILL BE FOUND.") The National Banner, bearing the glorious insignia of that immortal possession, wrapped alike in its sacred folds, the State of Mississippi and the State of Massachusetts. (Cheers.)

In the palmy days of the Ancient Republics, he who had saved the life of a citizen, was held more worthy of honor and reward, than he who had taken the life of an enemy. How great then was the honor, how boundless the rewards due to him, who had saved that Constitution, which had been cheaply purchased by thousands of lives, and would be cheaply preserved by the sacrifice of tens of thousands. (Long continued and loud applause.)

This was no trivial occasion, no unmeaning solemnity. Crowns and ovations used in former days to be granted to those who had fought well the physical battles of their country, and vanquished her enemies on the bloody field; but it had now come to be understood that it required a greater amount of genuine courage, and all those qualities which bring true renown, to fight successfully the civil battles of a nation, than to triumph on land or ocean. (Loud cheers.) From a little personal

experience, more especially that of a recent date, he could assure his fellow citizens that a more desperate enterprise could not well be undertaken, in times like these, than to go forth as a well appointed knight, and enter the lists with such foes as were now threatening to subjugate this free and happy land. He had not only to meet honorable adversaries in the fair and open fields of intellect and argument—that would be, in comparison, a light and pleasant task—but he must also be prepared, like a warrior in some enchanted castle, to encounter foes in every hideous and revolting shape. He found himself surrounded not merely by titled knights with nodding plumes and lances in rest, but by reptiles and wild beasts, by raving hyenas and venomous serpents—aye, and it was no mistake to say that he might chance to meet a "roaring lion" in his path. (Laughter and loud cheering.) It was, therefore, fit and right, it was but the discharge of a debt, to render the highest public honors to those who had braved these dangers, and come off safe and triumphant through them all. (Cheers.) It had been the charge of a Spartan matron to her son, when sending him forth to the combat, "Return to me with your shield or on your shield." The Whigs in the late contest had received such a charge from the maternal voice of their country; it had followed them through the loudest tumult of the fight, and though they might have failed in achieving a perfect victory, they had not lost their shield; they had still held fast to the Constitution! (Great cheering.) It was a fearful thing that in a country like this, where according to the theory of the Constitution, the rulers were but the servants of the People, the People should stand in dread of their legislation; yet he would appeal to all who heard him, whether when the last Congress had adjourned, they did not all feel as if an incubus had suddenly been lifted from their breasts! Did not their bosoms swell and heave a long sigh of relief, when they had the certainty that no new *experiments* were at this time to be brought forward, and forced upon the country? (Joyous shouts of response here echoed from every dart of the hall.) Was it not a terrible condition for a nation, when their chief consolation

was the inability of the Government even to do good? When their great safety lay in this, that the Legislature had adjourned?

In the late late Congressional contest, the Whig minority were in a situation somewhat like that of the American forces on Bunker Hill (cheers), when the British army marched against them in all the proud pomp and circumstance of war—banners flying, a grand park of artillery, plentiful numbers, and well dressed and well-paid officers commanding troops perfectly drilled into prompt obedience. They came marching on to the sound of martial music, while the flames of burning villages lighted them on their way. Thus did the forces of the Administration move forward upon the Whig lines in solid column, with all their myrmidons drawn up in battle array, high in hopes, and confident of success, with a majority so devoted and so sure, that they dared openly to avow the sentiment that the People must look out for themselves, Congress was to provide only for the Government. It was no duty of Government to provide relief for the people—no such thing was in the Constitution. No; the great Government ship, with all her officers, was able to weather the storm, and the little black cutter was to be filled with the abandoned crew, and turned adrift to sink or swim. No sorrow, no sympathy was felt, or even affected, for the condition of the country, till, in the progress of things, the distress reached some of themselves. Then there was a wincing and a shrinking, but none dared openly to complain. They did shudder a little when the poor souls, whom they had turned adrift, were seen to go down in the tempest. Like Don Juan's wicked sailors,

> They grieved for those who perish'd with the cutter,
> And also for the biscuit-casks and butter.

(Laughter.) Yes, they did grieve a little when the lean and skinny hand of Adversity knocked at their own door, and their pockets failed to jingle with the bright gold which had glittered so resplendently in their promises to an abused and deluded people. This led them to suspect that the country might possibly be suffering a slight temporary inconvenience; but the petitions from the thousands, and the tens and hundreds of thou-

sands, which were inundating the tables of the House, could not even then gain a hearing. Never had they been thoroughly awake till the lank and hungry hounds of their own kennel began to howl around them for "*supplies! supplies!*" "*more supplies—instant supplies!*" not for the People, but for the Government.

Then the cry was, "the Government must stop: the Government must go down." Well, sir, said Mr. P., if this Government must go down, I want it should go down ADMINISTRATION FIRST —HEAD-FOREMOST. (Deafening shouts and repeated cheers.) I do sincerely believe, that never since men have dwelt on the face of this green earth, and had rulers over them, was there ever an administration seen in any country of the globe, or in any age of time, more utterly callous to the sufferings or the wishes of the people. And I will say further, that I do not believe that in any country of the world would such a destruction of public property, without the presence of an invading enemy, and proceeding from the acts of the government alone, have been endured without a national convulsion. No other people on the face of the earth but the free citizens of this Republic, would ever have submitted to it. (Great and loud cheering.) No, sir, not in Turkey itself. Had the Sultan, by his despotic edict, suddenly thrown the subjects of his throne as far back from their previous condition, bad as it might before have been, as this country has been thrown back by the mad experiments on its currency, he would the next night have slept in the Bosphorus. (Shouts and cries of assent.) And why has it not been so here? I will tell you why: the American people well know that they have the remedy in their own hands; they know that they still hold the reins of power; and if their steeds prove restive and dispute their pleasure, they know another thing, that they hold the *whip* as well as the reins. (Laughter and cheering.)

We have had to fight a hard battle; and though, through the aid and blessing of Heaven, we have been able to save the citadel of the Constitution, rely upon it, the worst part of the contest yet remains. We contend with a veteran foe: though worsted, they are not vanquished—they have lost a battle, but, like the

squadrons of the desert, they will sweep round and re-appear with a new front, but under the old flag. Sir, is it not so? Even since the adjournment, I hear they have put forth a new bulletin, evincing a determination still to hold on to the same policy. Had I been consulted, I should have counselled that very course. They seem to be demented. They have been steeped so long in wickedness, that they are under a judicial blindness. They remind me of the simpleton who in a great storm at sea, being in mortal fear, went and *lashed himself to the anchor*, so that if the ship did go down, he at least might be safe. (Loud cheers and laughter.) So has this Administration tied itself fast to the Sub-Treasury policy; and may the Genius of Gravitation carry them so straight and so profoundly to the bottom, that not a bubble shall rise to mark the spot where they went down! (Cries and echoes of "Amen," "God send it," and repeated cheers.) I may as well utter the honest truth; for even a short experience in public life, has convinced me that plain, open speech is the best policy. (Cheers.) I believe that a part of the mischief which this Administration has effected, may be traced to its very weakness. We have not dreaded it as we ought to have done; it has been suffered to gnaw as a worm, where it should have been crushed as a serpent.

One of the gentlemen who have addressed you, has been pleased to say that I have fought a good fight; and recreant indeed should I have been, could I have turned my back in such a contest. The reference, I presume, was to the late struggle in my State; for though thousands of miles removed, your intelligence has fully apprised you that an inroad was made on your own rights, and on the Constitution, by the foul and nefarious decision of the House of Representatives in regard to a late Mississippi election. (Loud cheering.)

I fear, fellow-citizens, that the great fundamental principles of our institutions have not enough been looked at. We glory in the institutions themselves, and consider them as the strong bulwarks of our freedom; while we too much forget the vital principles upon which they rest. These broad and general principles are like the roots of the everlasting mountains; they lie

deep—are out of sight and forgotten—but they are nevertheless the pillars of the earth. We are too apt to think of them as abstractions—as barren generalities—not coming immediately home to our business and bosoms; we cannot conceive it possible that any man should dare to attack them; but our security is our danger. They may be attacked. They have been assailed. One of these great principles of our freedom is the Elective Franchise, and this has been attacked in the persons of the Representatives of Mississippi. We thought this was a thing so settled, that no one would dream of attempting to disturb it; but we contend with a foe that knows nothing of civilized warfare. (Laughter and cheers.) They assailed this citadel of our Freedom; and had the people of Mississippi submitted to it—had they yielded the key of this their last refuge—their liberties would have been gone; nor would they have deserved any longer to be free. But they were not thus stolid, thus base and craven-hearted; they manfully resisted the assault; they were true to themselves, and true to you; for this was *your* question as much as it was theirs. (Cheers and applause.) Your rights, our rights, the rights of every State, and of every man, woman and child in every State, were all in danger; they stood on the steep precipice of imminent and present destruction: but they were rescued. (Shouts and cheering.) Yet, when I think how close was the contest, how narrow the escape, I tremble for the future; and I now repeat the warning so often uttered —the price of Liberty is unsleeping vigilance in guarding it. You must be like your patriot fathers. You must be the *minute-men* of the Constitution. (Immense applause.)

Another great principle is attacked with equal desperation. It is the Right of Property. Tenets are advanced here, in this free Republic, which would not be tolerated under the worst government of Europe, nay, of the world. It is openly asserted, that the rich are "*the natural enemies of the poor!*" and the practical corollary from that position is that, therefore, the poor must wage perpetual war against the rich. Nor is this an idle theory; it is attempted to be made a practical question. It is advanced, not as in some obscure debating club, by a set

of raw and green lads, just escaped from the trammels of their minority, but in the halls of Congress, and by men of experience, standing, and character. It would be an insult to ask you whether such a doctrine is to prevail among American citizens. And if it did, how is this imaginary line between rich and poor ever to be drawn? Fix it where you will, there are tens of thousands of the rich who would consider themselves as among the poor, and as many thousands of the poor who would find themselves among the rich. Nor could it remain fixed for a day or an hour; for he who is rich to-day, to-morrow may be a beggar; while on the other hand, thousands born to poverty, are continually enrolling themselves among the opulent of the land. I have observed, especially in the West and Southwest, that the most prosperous, honored and wealthy, are apt to be the men who commenced their course in life with no fortune but their hands, their industry, and their energy of spirit. The truth is, all classes in this country are mutually dependent upon each other, as in the busy hive, where those who return laden impart their stores, and those who are empty, need only go forth in order to return laden. There is no natural hostility between the different classes of society. Such a doctrine should be trampled under the foot of every American freeman—it is a viper, and should not be suffered to show its head. Let us put it to death by common consent. (Cheering.)

There is another precious vital interest of the Republic, which is assailed with no less desperate rashness—it is our Union itself. This is attempted to be destroyed by arraying local prejudices in mutual hostility—by stirring up a sectional warfare between the North and the South, the West and the East; as though the common glory and the common interest of the whole Country was not more than sufficient to outweigh a thousand times the local and minor matters in which we differ. But though politicians, actuated solely by a selfish and parricidal ambition, seek to rend asunder what God has himself joined in everlasting bonds, there is a hand that will arrest the impious design: a hand they despise, but which they will find too strong for them: I mean the hard hand of MECHANICAL LABOR. (Great

cheering.) Yes, sir, that mighty hand—and long may it be mighty in this free and equal land—that mighty hand will link these States together with hooks of steel. The laboring population of this Country mean to live together as one people, and who shall disannul their purpose? See how they are conquering both time and space! See the thousand steamboats that traverse our lakes and rivers; aye, and that, Leviathian-like, begin to make the ocean itself *to boil like a pot!* Look at their railroad cars glancing like fiery meteors from one end of the land to the other; blazing Centaurs with untiring nerves, with unwasting strength, and who seem to go, too, on the grand temperance principle, laboring all day on water only. (Laughter and loud cheers.) Think you the American people will suffer their cars to stop, their railroads to be broken in twain, and their majestic rivers severed or changed in their courses, because politicians choose to draw a dividing line between a Northern and a Southern empire? Never, sir, never. Proceeding on those great national principles of Union, which have been so luminously expounded and so nobly vindicated by your illustrious Guest (cheers), they will teach these politicians who is MASTER. Let us but hang together for fifty years longer, and we may defy the world even to separate us. (Shouts and repeated cheers.) Let us but safely get through the crisis, and our Institutions will stand on a firmer basis than ever. (Cheering.)

And let it never be forgotten, fellow-citizens, that these Institutions are ours in trust; we hold them for a thousand generarations yet to emerge from the stream of time. They are sacred heir-looms, confided to our keeping for those who are to come after us—and if we allow them to be impaired or sullied, while passing through our hands, we are guilty of a double crime; we are traitors alike to our fathers and to our posterity.

True, we are threatened from without as well as within. When I left my distant home, I left not far distant from it thousands of warlike Indians,—congregated and armed by the policy of this Administration—consulting, plotting, meditating vengeance. They number, it is said, sixty thousand fighting men. You have given them rifles, and Nature has given them, in the

vast prairies in their rear, and tens of thousands of wild horses which they well know how to break in and to ride. Their hearts burn with wounded pride, and boil with meditated revenge; and who knows how soon they may return on us, Mazeppa-like, to pay us home for all their injuries? I know, that in stating the dangers of the Far West, I shall not be heard with indifference, though I speak in the Far East. No—we are one body; and where one member suffers, all the rest suffer with it; or one member prospers, all the rest rejoice with it; and I hold it a high duty of those citizens who come from distant parts of our wide Union, to assure their fellow-citizens of the perfect sympathy and unanimity of feeling which pervades the entire people of this Confederacy. Yes—we are one people, for weal or for woe. When I cannot come from Mississippi, and call the men of Boston my fellow-citizens, my kindred, my brethren, I desire no longer to be myself a citizen of the Republic. (Cheers, long and loud.) Yes—we are all embarked on one bottom: and whether we sink or swim, we will swim or we will sink TOGETHER! (Here the hall rang with triumphant shouts, clapping of hands, and rounds of cheering; handkerchiefs waved, and the trombones of the band pealed a note of union with the cries of the assembly.)

Mr. PRENTISS concluded by offering the following toast:—

The Commonwealth of Massachusetts—Foremost among the States in the formation of this Republic—second to none in the ability, integrity, and patriotism which she has always contributed to sustain it.

The toast was received with immense and prolonged cheering. The first part of Mr. P.'s speech was constantly interrupted by the most vehement bursts of applause. At length, however, the audience discovered that it was their best way to listen in silence, and he was permitted to go on with only occasional interruptions. After speaking a little while, he intimated an intention to stop, but was instantly assailed by loud cries from every part of the Hall—*Go on, go on! Don't stop!* As he drew towards a close, the interest became almost painfully intense. The audience were so entranced, that it seemed as if

they would have sat and listened without weariness until the next morning.*

Mr. Prentiss was exceedingly gratified by his reception in Boston. He seemed to have a home-like feeling in the old Puritan Metropolis; and it is doubtful if any plaudits ever gave him more pleasure than those which resounded from the time-honored walls of Faneuil Hall. He said, the favorable judgment of such an assembly as he saw before him on this occasion—an assembly representing the highest statesmanship, the best learning, literary culture and social refinement, as well as the commercial enterprise, mechanical industry, and substantial virtues of New England, was a test of genuine oratory, which any man might well be proud of standing. He was, however, far from being satisfied himself with his address in Faneuil Hall. He remarked, sometime afterwards, that he thought it a failure; adding as a reason: "I was so awed and overwhelmed by the Spirit of the Place, that I could not speak!"

There are few other instances in our history of a young man of twenty-nine winning for himself, in less than six months, a national reputation as an orator and a statesman. The opportunity, furnished by the Mississippi Contested

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* Of the numberless contemporary notices of this speech, the following, by the Editor of the N. Y. *Courier and Enquirer*, is a fair sample:—

"Mr. Prentiss rose and detained the audience for upwards of an hour in one of the most thrilling and interesting harangues ever made to a popular assembly. His style is copious, though distinct, and he poured forth a flood of eloquence with what, I might almost call, a velocity of utterance, a fluency, and at the same time, beauty of expression, which I never heard equalled. He was occasionally interrupted by the most enthusiastic shouts and applauses of the audience; but during all these cessations he seemed to chafe, like an eager war-horse impatient for the onset—and his crowding thoughts would burst from all restraint, and he would resume his speech long before the thunder of approbation had died away. To use a phrase of Byron's, he seemed to 'wreak himself on expression.'"

Election, of attracting the eye of the country was, certainly, very fine; but then, only abilities of the rarest quality could have made such effective use of it. From the moment Mr. Prentiss opened his mouth in the House of Representatives, the public press throughout the Union resounded with his praise; descriptions of his person and speeches, scraps of his private history, anecdotes of his wit and humor, formed, for several weeks, no small part of the correspondence from Washington. And the more he was known, or written about, the greater was the interest everywhere felt in him. Nothing short of an actual inspection of the newspapers of that day, would suffice to give an adequate idea of the sensation caused by his sudden appearance in the political heavens. "Did you hear S. S. Prentiss, of Mississippi?" was one of the first questions which everybody asked of a person returning from Washington. Wherever you travelled, North, South, East, or West; wherever you found yourself, in parlor, or steamboat saloon, in stage-coach or hotel, the chance was that you would catch the name of S. S. Prentiss. The desire to see and hear him was just as strong in Philadelphia, New York, and Boston, as in the backwoods of Mississippi; and his eloquence seemed to have an equal charm for the most cultivated and the most illiterate—of both sexes, and of every age.* But of all this the reader will have ample evidence, as we go on.

* One of the ways in which the general interest in him expressed itself, was a request for his *autograph*. Numerous applications of this sort reached him from different parts of the country, all couched in terms of admiration, and some of them breathing almost a personal regard. The following, from the interior of New York, may serve as a specimen:—"I take the liberty, though an entire stranger, of addressing this note to you for the purpose of obtaining an autograph of your handwriting and signature. Though I shall never, perhaps, see you in person, yet I beg leave to enjoy the pleasure of receiving an answer to this request, which will in part make up for my expectation of never seeing you. I am but a boy of fourteen years of age."

His reception in Boston, as has been said, afforded him much gratification. But, in general, he showed a singular indifference to the applauses which were heaped upon him. No one knew better than he the ephemeral character of such honors. He had, too, a natural modesty and good sense, which made him shrink from the notoriety incident to popular favor. This, also, will appear very plainly in subsequent pages.

During his present visit home, he made up a family party and took a trip to the White Mountains. It would be easy to fill a chapter with pleasant reminiscences of this excursion. He also resorted to the Great Brook, and nothing could exceed the boyish delight with which he sought out the old 'holes,' and abandoned himself to the memories of other days. There was an indescribable sweetness and *bonhomie* in his temper at such times. He was careful, also, to call upon the old neighbors, and have a talk with them about the past and the present.

While at Portland, he was beset with urgent requests to address the people in different parts of New England. Invitations to public dinners also came from various quarters. Among the rest, he received one of a highly flattering character from New York, signed by the Mayor, and some of the most distinguished gentlemen of the city.

He declined all these invitations, even that of his old friends and fellow-townsmen of Portland. "I need not say," he writes in reply to the committee of the latter, "that your partiality has done me honor overmuch in relation to the humble part which it was my lot to act in sustaining the rights of Mississippi, as well as in the more general political questions of the day. Without fear or favor have I attempted to perform my duty. I certainly claim no credit for pursuing the only course which was consistent with my notions of honor, principle, and obligations to the country.

Your approbation of that course is exceedingly gratifying as an additional assurance of its propriety—and will add another link to the chain which binds me to my native place. I regret that it does not fall within the scope of the short and flying visit I am making to my relatives, to accept of honors such as you have so kindly tendered. Permit me, therefore, most respectfully to decline your proffered hospitality."

The following is the New York correspondence :—

NEW YORK, *August* 8, 1838.

HON. S. S. PRENTISS,

DEAR SIR :—

You cannot need our assurance of the gratification we feel in transmitting you the proceedings of "a joint committee of Citizens, and the Whig General Committee" of our city, on the 7th inst. They are intended to do you honor; and as the tribute to your genius and fine attainments is spontaneous and comes from the citizens generally, we indulge the hope that you will not only meet your fellow-citizens in Masonic Hall, but will also accept their invitation to the dinner now tendered.

With high consideration,

We are your very obedient servants,

AARON CLARK, Chairman.

JAMES M. PEASE, Secretary.

At a meeting of Citizens and the Whig General Committee of the City of New York, convened in compliance with a call from his Honor the Mayor, on Monday, August 7th, the Chairman and Secretary were instructed to transmit the following resolutions and letter of invitation to the Hon. S. S. PRENTISS :—

NEW YORK, 23 *July*, 1838.

HON. S. S. PRENTISS,

SIR :—

Learning that it is your intention to re-visit our city on your return from your native State to Mississippi, we, on

behalf of many of our fellow-citizens, have great pleasure in tendering you a Public Dinner, to be given you on the day of your arrival here, or, as soon afterwards as your convenience will permit.

In proffering you this courtesy, we do so as a proof of our esteem for you personally, and as a token of the high regard we have for you as a public man, inasmuch as that your advocacy of the rights of Mississippi has gone far to assure the sovereignty of each State of the Union, and furnishes a noble evidence of the moral power of talent, when exerted in a just cause, superadded to eloquence and true genius.

We remain, Sir,
Your fellow-citizens,

Gulian C. Verplank,	Aaron Clark,
Nathaniel Weed,	V. B. Waldron,
Willis Hall,	Gideon Lee,
G. W. Bruen,	Sam'l Swartwout,
Chas. H. Russell,	Moses H. Grinnell,
R. C. Wetmore,	Dudley Selden,
Amos Palmer,	R. M. Blatchford,
D. H. Robertson,	Jno. De Wolfe,
J. B. Rathbone,	James M. Pease,
Revo C. Hance,	Sam'l Palmer,
Jno. R. Marshall,	Shepherd Knapp,
Charles C. Peck,	D. Graham, Jun.
F. N. Tallmadge,	G. S. Robbins,
Wm. Turner,	Fred. L. Henop,
J. A. Morton, Jun.	Isaac H. Underhill,
John Welroy,	Edwin Clark,
Charles Oakley,	Edward C. Mickle,
B. R. Winthrop,	Wm. R. Dixon,
Redwood Fisher,	H. Weed,
Chas. Wolfe,	G. D. Baldwin,
Wm. K. Palmer,	Peter S. Townsend,
J. Collis,	James De Forest,
Andrew Oliver,	Jas. H. Braine,
J. F. Lippitt,	Asher Kursheedt.

Resolved, That the Whigs of Mississippi are entitled, in an eminent degree, to the thanks of their brethren throughout the Union, for their patriotic exertions in electing to Congress the Hon. S. S. Prentiss and the Hon. Thomas J. Word; notwithstanding the fraudulent attempt of the Administration party to defeat the result of a fair expression of the popular will.

Resolved, That in the opinion of this meeting, and we may safely say, in the opinion of the Whigs of this city and State, the political regeneration of Mississippi, as evinced by the late elections in that State, has been greatly aided by the ardent zeal, the able, the brilliant and untiring efforts of the Hon. S. S. Prentiss.

Resolved, That the Hon. S. S. Prentiss, now at the North, and expected to pass through this city, on his return to Mississippi, be respectfully invited to attend a meeting of the Whigs of New York, and receive from them a public expression of their gratitude to the State of which he is a Representatives in Congress, and their warm acknowledgment for his own distinguished services in arousing the attention of the people of that State to the unconstitutional and ruinous course of the present National Administration.

MR. PRENTISS' REPLY.

New York, *August* 13, 1838.

Gentlemen:—

I have just received your favor of the 23d ult. inviting me, on behalf of many of your fellow-citizens, to a Public Dinner, at such time as my convenience may permit.

For the honor you have conferred upon me, allow me to render my most profound thanks. The esteem of such gentlemen as those whose names are appended to the Invitation which has been extended to me, is of itself ample reward for much higher exertions, and more effectual public services, than anything which I have been able to accomplish. Your kind attention I receive as an expression of your joy at the successful result, in Mississippi, of her patriotic and noble defence of her dearest rights against the desperate attack of a corrupt and wicked party. On her behalf, as well as my own, I should be gratified, under other circumstances, to avail myself of your hos-

pitality; but at present, being anxious to return forthwith to Mississippi, and being conscious that I have already received from my fellow-citizens more attention than I have yet had the opportunity of deserving, I beg leave most respectfully to decline the honor which you have tendered me. Believe me, however, the remembrance of your friendly intentions will always awaken in my breast the most grateful emotions.

Accept, gentlemen, my best wishes for yourselves and those whom you represent.

I am, with the highest respect,
Your obedient servant,
S. S. PRENTISS.

To Messrs. AARON CLARK, G. C. VERPLANK,
GIDEON LEE, MOSES H. GRINNELL, F. N.
TALLMADGE, JOHN DE WOLFE, and others.

He consented, however, to deliver an address in Masonic Hall. It was his first speech in the Empire City, and its mechanics, laborers, professional men, and merchant princes turned out *en masse* to hear him. Just eleven years had elapsed since he visited New York on his way to the Far West.

Col. William L. Stone, the accomplished Editor of the *Commercial Advertiser*, and a warm admirer of Mr. P., thus noticed the meeting :—

It was a tremendous rally. But apparently not a tithe of the people who attempted to get into the Hall were successful. We have some skill in working through a crowd, but never before did we come so near being defeated. PRENTISS was in fine spirits, and the audience were delighted with him. We have heard him when he was more brilliant than last evening—that is, we have seen more bright flashes of humor, and more intense coruscations of wit. But he was then less argumentative and, in fact, less able— his speech of last evening being the effort of a statesman, whose main design was to address himself rather to the understanding than to the imagination and passions of his audience.

In order to avoid further attentions on the part of his political friends, he determined to go home by sea, and accordingly took passage for New Orleans.

The following reminiscence, furnished by Judge Wilkinson, will be here in place :—

Mr. PRENTISS presented the moral idiosynerasy of a man of the first order of intellect, who was utterly devoid of ambition or vanity—and who, although he highly relished a manifestation of mind in others, did not seem to value himself a *sou* for the possession of it. He even despised those who followed after him on account of his fame; and felt disgusted and not a little scandalized at the height to which he was so suddenly raised. I met him in the city of New York in the summer of 1838. He was just from Washington, with his laurels fresh and thick upon him. He proposed a breakfast *à la fourchette* at Delmonico's, and an exclusive talk. As we walked along Broadway, his arm in mine, a crowd of persons gathered about him and followed after. "PRENTISS," said I to him, "this is a long and lofty stride you have taken. Don't you feel a little giddy at your sudden elevation?" "No," he calmly replied, "I have known for years what I know now—that I could accomplish what I have accomplished. I cared not for the opportunity, but was quite content to 'live and die unheard;' but opportunity came, and I seized it. As to having my head turned by this excess of praise, I am really sickened by it; and to avoid it, intend to proceed from this point to Mississippi by sea." "Were you composed and self-possessed, when you rose to your feet for the first time in Congress?" I asked. "Entirely so—as much so as if I had been beginning a speech to old ——," a Justice of the Peace in Vicksburg. "Your style is more figurative than it used to be, and some say you do not reason now as well as you declaim." "They are mistaken, I think. The truth is, the natural bent of my mind is to dry and pure ratiocination; but finding early that mankind, from a petit jury to the highest deliberative assembly, are more influenced by illustration than by argument, I have cultivated my imagination in aid of my understanding." Mr.

Prentiss never, at any other time, spoke to me so long about himself. He assuredly did not desire official position for his own sake, or for its sake. He was too proud a man willingly to submit his claims for office to the arbitrament of the public; and he looked down upon the man who was continually suing for popular favor, as the meanest and the most mischievous of all the members of society.

The voyage was unusually long, and before the vessel touched port the public press began to express considerable anxiety for his safety. He reached New Orleans in the morning, and was immediately waited on by a committee, tendering him the hospitalities of the city. At noon, a national salute of twenty-six guns was fired in honor of his arrival, and the whole day was spent in receiving the congratulations of the people. He declined a public dinner, alleging that it was not quite safe to remain another day, as the flattering attentions of his fellow-citizens would render the place hardly less fatal to him than the Circean Isles to the travel-worn Ulysses. The multitude, however, were so bent on hearing him, that he found it impossible to leave the city without a speech. In reply to a complimentary address from Judge Jackson, he spoke for an hour and a half. A gentleman present describes his speech as "equal in power and brilliancy to similar efforts, which had astonished Congress and won for him a place in the first rank of American orators. His popular style, now mounting to the majestic, now playfully descending to colloquial simplicity, was admirably adapted for carrying away the hearts and heads of the warmhearted denizens of the South; yet were his avowed principles so pure, his patriotism so evident, that Minos himself might have sat in judgment on him and found no fault."

In the early evening, a cavalcade of his friends, followed

by an immense concourse of the people, accompanied him to the boat, which had been delayed several hours to take him on board. As the gallant steamer moved forth upon the broad bosom of the Father of Waters, and set her course towards the North Star, the excited crowd fairly rent the air with their deafening cheers, while a band in attendance struck up the well-known strain,

"Should auld acquaintance be forgot?"

These civilities were all the more grateful, as there had been, for some time, a most unhappy state of feeling between New Orleans and Mississippi, interrupting, in a degree, even social intercourse. Ever after this, Mr. Prentiss was a special favorite of the Crescent City; in no place in the country had he more devoted friends and admirers.

Upon reaching Mississippi, too, as may be supposed, he was welcomed with open arms. The flattering attentions paid to him in New England, in New York, and at New Orleans, were carefully reported by the Whig journals of the State, and could not but afford his friends much gratification.*

But he was not exempted from paying the penalty usually attached to such honors. During his absence, envy and misrepresentation had been busily at work to injure his political character; the cry of Abolitionism was raised against him, his speech in Faneuil Hall having given espe-

* Never in the history of our country have we seen an instance, where a man of his age, or of his length of service, as a public man, has received such unusual—such high and proud demonstrations of honor and respect, of warm greeting and admiration, as has Mr. PRENTISS received during his present absence from Mississippi. Nowhere but in a newspaper office, where newspapers are received by the hundred or the bushel, can a person form a tolerable idea of the extensive respect and admiration which his talents command. It is far within the limits of the facts to say, that for the last two weeks a majority of our exchange papers contain either his speeches, extracts from them, or complimentary notices of his talents and the gigantic powers of his mind.—*Natchez Courier, September* 10, 1838.

cial offence to certain Southern patriots. On reaching Vicksburg, he was invited to a public dinner. At the close of his speech on the occasion, he thus impressively alludes to this subject :—

It is the fashionable slang of the day to denounce the Whig party of the South in the most unqualified terms, as leagued with the abolitionists, traitors to their own interests, enemies to their own institutions ; and other such like phrases. Southern Democracy, it seems, consists in general abuse of the rest of the Union, a denial of the existence of any common interest with the North, and a bitter denunciation of every man who has the independence to refuse assent to these strange dogmas. Indeed, to such an extent is this brotherly hatred now carried by some, that a man cannot exchange ordinary courtesies, or civilities, with his fellow-citizens of the North, without rendering himself obnoxious to the charge of being an enemy to the South. I had occasion myself to travel North, a few months since, on private business ; I was treated with great kindness and hospitality, a kindness and hospitality intended entirely as an expression of good feeling towards the State which I represented. Yet have I been most bitterly abused for responding to these courtesies ; for daring to break bread, and eat salt with our Northern brethren ; and especially for so far violating Southern policy as to have wickedly visited the cradle of liberty, and most sacrilegiously entered Old Faneuil Hall.

I could pity these foolish men, whose patriotism consists in hating everything beyond the limited horizon of their own narrow minds ; but contempt and scorn will not allow of the more amiable sentiment. It is said against me, that I have Northern feelings. Well, so I have ; and Southern, and Eastern, and Western, and trust that I shall ever, as a citizen of this Republic, have liberality enough to embrace within the scope of my feelings both its cardinal points and its cardinal interests. I do not accuse those who differ with me of a desire to dissolve the Union. I know among them as honest and honorable men as belong to any party : but I do most seriously believe that the Union can-

not long survive such kind of argument and feeling, as that to which I have alluded. Indeed, if such sentiments are well-founded, it ought not to continue; its objects and uses have ceased. Still I do most fervently pray that such a catastrophe may be averted; at least, that my eyes may not witness a division of this Republic. Though it may be a day of rejoicing for the demagogue, it will prove a bitter hour for the good man and the patriot. Sir, there are some things belonging to this Union, which you cannot divide; you cannot divide its glorious history, the recollections of Lexington and Bunker Hill; you cannot divide the bones of your Revolutionary sires; they would not lie still away from the ancient battle-grounds where they have so long slumbered. And the portrait of the Father of his Country, which hangs in the Capitol, how much of it will fall to your share, when both that country and picture shall be dismembered?

But, fellow-citizens, I have detained you too long upon these themes, and the closing day warns me to desist. The political relation which exists between us, and the fact that that relation will soon cease, constitute my apology for the tax I have laid upon your patience. As a private citizen, I trust ever to retain your confidence and regard, though as a public man, I shall never again seek them. Private interests, as well as inclination, will keep me from the political arena. The ancient gladiator pursued a more enviable occupation than that of the modern politician. For the short remainder of the present Congress, I shall continue to perform my duty as your Representative, but decline being considered a candidate for re-election. With the most profound thanks for your long-continued favors to me, both in public and private life, I bid you farewell.

TO HIS SISTER ANNA.

VICKSBURG, *Sept.* 30, 1838.

MY DEAR SISTER:—

I wrote to George about a week ago, informing you all of my safe arrival and excellent health. Though the passage round was extremely tedious, yet, on the whole, it is

fortunate that I took this route; for the Ohio river has been so low, that it has been with the utmost difficulty that our citizens have travelled in that direction since I got home. I have been out to Jackson, from whence I returned yesterday. I find the country has been remarkably healthy during the summer; more so, I think, than at the North. My affairs are a good deal disordered from neglect, but I shall, I do not doubt, be able to bring them right. My friends have greeted me with great kindness, and on Saturday next I take a public dinner with the citizens of Vicksburg. I shall return to Washington this winter; after which I am determined to retire from politics. This determination is warmly opposed by the Whigs, but I am resolved to carry it into effect. I shall return to the practice of the law, until times become better and my affairs settled. I am anxiously expecting a letter from you, and was disappointed in not finding one awaiting my arrival. I shall not leave for Washington until the last of November or first of December. Judge Guion and his family are well. I think of nothing further at present, but shall write again soon. My love to you all.

Your affectionate brother,

SEARGENT.

TO HIS YOUNGEST BROTHER.

VICKSBURG, *Nov.* 1, 1838.

DEAR GEORGE:—

I have been so busy since I wrote you last, that I have absolutely not found time to perform my duty towards you, as a correspondent. Besides all my old business, which has been accumulating for a year and more, I have been busily engaged for the last fortnight in the practice of my profession. Our criminal court has been in session, and no sooner was it known that I had resumed the practice, than my hands were full. In the last ten days I have defended five men, tried for their lives, and was successful in acquitting them all. Next week I am employed to go to Copiah county and defend a man who is indicted for murder. I regret very much that I have to go back to Washington City this winter; but I am compelled

to do so. My friends will not hear of my resigning. Indeed, since I announced my determination to decline a re-election, they have annoyed me almost to death by solicitations to run again, or at least to be a candidate for the Senate. They tell me I am the only man in the State who can run with any certainty of success. Still, though sorely tempted, I have declined, and do not think anything will induce me to change my determination. In regard to business affairs, I find my property in nowise diminished in value; but shall be pestered, for about a year, by new lawsuits which they are instituting in relation to it. I have not the slightest fear about the result. I shall gain the suit without difficulty. Still, it will delay me in my ultimate objects, inasmuch as, until its decision, the property will not sell to advantage. My professional prospects are of the brightest character. I shall have on my return in the spring as much business as I can attend to, and of the most lucrative kind. The weather is delightful and my health very fine. I shall not leave here until the last of the month.

Yours affectionately, S. S. P.

Upon his return to Vicksburg, Mr. Prentiss might have boasted an amount of labor and locomotion during the previous twelve or thirteen months, which was probably equalled, in the same space, by few men in the United States. In little more than a year he had travelled, according to a moderate estimate, some three thousand miles on horseback, eight thousand by stage, steamboat, or railroad, and sixteen hundred by ship—that is, in all, 12,600 miles. Could his mental exertions during the same period be put into figures, the result would be a psychological wonder.

END OF VOL. I.

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